## Exhibit 2

Part I

	1					
1	UNITED STATES DISTRICT COURT					
2	SOUTHERN DISTRICT OF NEW YORK					
3	X					
4	BETH AMENDOLA, on behalf of herself and others					
5	similarly situated,					
6	Plaintiffs,					
7	Index No:					
8	-against- 07 CV 6088					
9						
10	BRISTOL-MYERS SQUIBB COMPANY, and Does 1 through 20,					
11	inclusive,					
12	Defendants.					
13	X					
14	1585 Broadway					
15	New York, New York					
16						
17	January 28, 2008					
18	8:40 a.m.					
19						
20						
21	VIDEOTAPED DEPOSITION of BETH AMENDOLA,					
22	a plaintiff, taken on behalf of the defendants,					
23	pursuant to Notice, held before a Notary Public of					
24	the State of New York.					
25						

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1 2	APPEARANCES:	1	(WI) (Co. 1114
3		2	(Whereupon, a Complaint was received and marked Amendola Exhibit 1, for identification, as of
4	EMERY, CELLI, BRINCKERHOFF & ABADY, LLP	3 4	this date.)
5	Attorneys for the Plaintiffs	5	(Whereupon, Plaintiff's Initial
6	75 Rockefeller Plaza New York, New York 10019	6	Disclosures were received and marked Amendola Exhibit
°	BY: ILANN M. MAAZEL, ESQ.	7	2, for identification, as of this date.)
7	ELIZABETH S. SAYLOR, ESQ.	8	(Whereupon, Plaintiff's Responses to
8	(212) 763-5000	9	Defendants' First Set of Interrogatories were
9	PROCEED POOR ALP	10	received and marked Amendola Exhibit 3, for
10	PROSKAUER ROSE, LLP, Attorneys for the Defendants	11	identification, as of this date.)
11	One Newark Center	12	(Whereupon, Plaintiff's Responses to
12	Newark, New Jersey 07102-5211 BY: JEREMY M. BROWN, ESQ.	13	Defendants' First Request for Production of Documents
**	JOSH ALLOY, ESQ.	14	were received and marked Amendola Exhibit 4, for
13	(973) 274-3200	15	identification, as of this date.)
14		16	(Whereupon, Declaration of Beth Amendola
	Also Present:	17	was received and marked Amendola Exhibit 5, for
16	Amy Sandgrund-Fisher, Bristol-Myers	18	identification, as of this date.)
17	Craig Atella, videographer	19	·
18 19		20	
1 1 2	oOo	21	
20		22	
21 22		23	
23		24	
24 25		25	
	3		5
1		1	
2	IT IS HEREBY STIPULATED AND AGREED by and		VIDEOGRAPHER: Good morning. My name is
3	between the attorneys for the respective parties	3	Craig Atella of Veritext. The date today is
4	herein that the sealing, filing and certification of	4	January 28th of 2008. The time is approximately
5	the within deposition be waived; that such deposition	5	8:38. This deposition is being held in the office of
6	may be signed and sworn to before any officer	6	Proskauer Rose located at 1585 Broadway, New York,
7	authorized to administer an oath with the same force	7	New York.
8	and effect as if signed and sworn to before a judge.	8	The caption of this case is Amendola
9	IT IS FURTHER STIPULATED AND AGREED that a		versus Bristol-Myers Squibb in the United States
10	objections, except as to form, are reserved to the	10	District Court, Southern District of New York, index
11	time of trial.	11	number 07 CV 6088. The name of the witness is Beth
12		12	Amendola.
13		13	At this time the attorneys will identify
14		14	themselves and the parties they represent, after
15		15	which our court reporter will swear in the witness
16		16	and we can proceed.
17		17	MR. BROWN: I'm Jeremy Brown with
18		18	Proskauer Rose, and I represent the defendant
19		19	Bristol-Myers Squibb Company.
20		20	MR. ALLOY: Josh Alloy also of Proskauer
21		21	Rose.
22		22	MR. MAAZEL: Ilann Maazel of Emery,
23		23	Celli, Brinckerhoff & Abady for Ms. Amendola.
24		24	MS. SAYLOR: Elizabeth Saylor also of
1		25	Emery, Celli, Brinckerhoff & Abady.

	6		8	
1	B. Amendola	1	B. Amendola	
2	BETH AMENDOLA, having been first duly	2	A. No.	
3	sworn by a Notary Public of the State of New York,	3	Q. Anything that could interfere with your	
4	was examined and testified as follows:	4	recollection of past events?	
5	EXAMINATION BY	5	A. Perhaps.	
6	MR. BROWN:	6	Q. What's that?	
7	Q. State your name for the record.	7	A. The past.	
8	A. Beth Amendola.	8	Q. Passage of time?	
9	Q. Where do you currently reside?	9	A. Right, passage of time.	
10	A. 5165 Northwest 50th Terrace, Coconut	10	Q. Fair enough. Have you taken any	
11	Creek, Florida 33073.	11	medication, any alcohol or other drugs today?	
12	Q. Good morning, Ms. Amendola. I'm Jeremy	12	A. No.	
13	Brown. We spoke earlier. I represent the defendant,	13	Q. Are you currently taking any	
14	Bristol-Myers Squibb Company, in this action. You've	14	prescription or non-prescription medication that	
15	been sworn in, and there's a court reporter here, and	15	could impair your ability to recall facts?	
16	a videographer here and they're going to be recording	16	A. No.	
17	your testimony. Do you understand that?	17	Q. Is there any reason that you can't	
18	A. Yes.	18	answer my questions completely and truthfully today?	
19	Q. Notwithstanding that we have a	19	A. No.	
20	videographer here, we do need all of your responses	20	Q. Today I'm going to be referring to your	
21	to be verbal so the court reporter can take them	21	former employer Bristol-Myers Squibb Company as BMS	
22	down.	22	or Bristol-Myers; is that fair enough?	
23	A. Okay.	23	A. That's fine.	
24	Q. Also, I know it's a little artificial,	24	Q. I assume you will be doing the same.	
25	but you have to let me ask the whole question and	25	Have you ever given deposition testimony before	
	7		9	
1	B. Amendola	1	B. Amendola	
2	then I have to let you answer the whole question so	2	today?	
3	the court reporter can take that down, okay?	3	A. Once.	
4	A. Yes.	4	Q. When was that?	
5	Q. At some point your attorney	5	A. I would say about 23 years ago.	
6	MR. BROWN: Who's defending here?	6	Q. What was that in connection with?	
7	Ilann.	7	A. I had a neighbor who was harassing me	
8	Q. Your attorney may interpose an	8	and I sued them.	
9	objection. Unless your attorney directs you not to	9	Q. Was that a criminal or civil action?	
10	answer the question or you don't understand the	10	A. Civil.	
11	question, we're going to expect that you are going to	11	Q. What was the end result of that?	
12	answer the question fully, okay?	12	A. I won the case and they stopped	
13	A. Yes.	13	harassing me.	
14	Q. If you don't understand a question,	14	Q. Any other involvement in any lawsuit of	
15	please tell me, I will try to clarify it, but if you	15	any kind?	
16	do answer a question, we're going to assume that you	16	A. No.	
17	understood it fully and that you're responding to it,	17	Q. Any other sworn testimony other than in	
18	okay?	18	that action you said 23 years ago?	
19	A. Yes.	19	A. No.	
20	Q. You have been sworn in and your	20	Q. Have you ever filed a complaint or	
21	testimony today is just like giving testimony in a	21 administrative charge against any employer other tha		
22	court. Do you understand that?	22	Bristol-Myers Squibb?	
23	A. Yes.	23	A. No.	
24 25	Q. Is there anything that could interfere	24	Q. Has a close family member of yours ever	
	with your ability to understand any of the questions?	25	sued a former employer?	

	10	Signal of the second of the se	12
1	B. Amendola	1	B. Amendola
2	A. I don't think so, no.	2	Q. Anything else?
3	Q. Have you personally contacted any	3	A. We said good-bye. He was taking the
4	current or former employees or managers of	4	rest of my things from Bristol-Myers.
5	Bristol-Myers Squibb since leaving the company?	5	Q. Any other discussions other than
6	A. No.	6	good-bye and here's your documents?
7	Q. What about anyone on your behalf, your	7	A. At that time, no.
8	attorneys or anyone, are you aware of them contacting	8	Q. Any other time?
9	anyone who worked for presently or formerly worked	9	A. We've spoken.
10	form Bristol-Myers Squibb?	10	Q. How often?
11	MR. MAAZEL: Let me object there because	11	A. Infrequently.
12	the response would require some revelation of a	12	Q. Since March of 2006 when he was at your
13	conversation between Ms. Amendola and her counsel.	13	home
14	MR. BROWN: Fair enough.	14	A. Maybe
15	Q. Has anyone on your behalf contacted	15	Q. Let me finish the question. I know it's
16	anyone at Bristol-Myers Squibb that you're aware of?	16	awkward, but let me finish the question.
17	MR. MAAZEL: It's the same objection.	17	Since him visiting your home at the end
18	The only way Ms. Amendola could answer the question	ŧ	of March in 2006, have you seen him face-to-face?
19	is by referring to conversations with counsel.	19	A. No.
20	Q. Without referring to conversations with	20	Q. Have you spoken to him on the phone?
21	counsel, are you aware of anyone on your behalf	21	A. Yes.
22	contacting any current or former employee of	22	Q. About how many times?
23	Bristol-Myers Squibb?	23	A. Three or so.
24	MR. MAAZEL: What that means is put	24	Q. Did you ever discuss anything relating
25	aside any conversation that you ever had with any	25	to the lawsuit?
	11		13
1	B. Amendola	1	B. Amendola
2	lawyer, such as me. Do you have any knowledge	2	A. That's a trick question. That's a
3	outside of any conversation that we had about someone	3	tricky question.
4	being contacted?	4	Q. Why is it a tricky question?
5	THE WITNESS: No.	5	A. Because Nelson discussed the lawsuit.
6	Q. Have you spoken to Nelson Almerico since	6	Q. What did he discuss about the lawsuit,
7	leaving Bristol-Myers Squibb?	7	and what did you say in response?
8	A. Yes.	8	A. He asked me if his name was mentioned
9	Q. When?	9	and I said no.
10	A. Probably the end of March, maybe after	10	Q. Anything else?
11	that.	11	A. Basically that's it.
12	Q. When you say "end of March," do you mean	12	Q. Do you have any other recollection of
13	2006?	13	any other topics that you discussed?
14	A. Yes.	14	A. Nelson asked me why I was doing it.
15	MR. MAAZEL: Could you spell that name.	15	Q. What did you say?
16	MR. BROWN: A-L-M-E-R-I-C-O.	16	A. I said because I thought it was the
17	Q. Correct?	17	right thing to do.
18	A. Yes.	18	Q. Did he have a response?
19	Q. At the end of March 2006, was this a	19	A. He said well, you could never come back
20	phone conversation that you had with him?	20	to Bristol-Myers Squibb, and I said that's not an
21	A. Yes, and face-to-face.	21	issue.
22	Q. Where did you meet him face-to-face?	22	Q. Anything else?
23	A. At my home.	23	A. I had applied for a position with
24	Q. What did you say? What did he say?	24	Bristol-Myers Squibb, and I discussed it with Nelson
25	A. We said good-bye.	25	and Nelson recommended me for the position.

	14		16
1	B. Amendola	1	B. Amendola
2	Q. This was during the same conversation?	2	communication?
3	A. This was approximately a year ago.	3	A. I think so. That's all I can remember.
4	Q. So the conversation about the lawsuit	4	Q. Have you communicated by e-mail about
5	was after you had applied for and been rejected for	5	the lawsuit in any way?
6	employment at Bristol-Myers or re-employment?	6	A. I don't think so.
7	A. Re-employment.	7	Q. I'm going to have similar questions for
8	Q. How long after that?	8	a person named Nelson Sastoque.
9	A. It's coming back to me now. The	9	A. Sastoque.
10	application I believe was January and then after	10	Q. Sastoque. That's S-A-S-T-O-Q-U-E. Have
111	Nelson heard that there was a lawsuit he called me.	11	you spoken with him since leaving Bristol-Myers
12	That's when we had that discussion that I mentioned	12	Squibb?
13	before.	13	A. No.
14	Q. That subsequent discussion with him	14	Q. No communications whatsoever?
15	after you had made an application to work at	15	A. None at all.
16	Bristol-Myers again, by the time you had that	16	Q. Same question for a person named Chris
17	conversation, your application had already been	17	Young.
18	rejected, correct?	18	A. Not since February 28th of 2006.
19	A. I don't remember.	19	Q. That was the day that you left
20	Q. Any other conversations with him?	20	Bristol-Myers Squibb?
21	A. Not that I can remember.	21	A. It was the day Chris called me to tell
22	Q. Any other times that he referenced or	22	me that I was displaced.
23	you referenced the lawsuit?	23	Q. But no communications whatsoever with
24	A. No.	24	him since that date?
25	Q. Did Mr. Almerico express anything else	25	A. No.
	15		17
1	B. Amendola	1	B. Amendola
2	about the lawsuit other than what we've discussed?	2	Q. Same question for Karen Miller.
3	A. Not really. He was just concerned about	3	A. No, none.
4	it. He was just concerned.	4	Q. No communications whatsoever?
5	Q. What do you mean he was concerned?	5	A. None.
6	A. He was concerned whether or not he would	6	Q. Shelly Ager?
7	have a role in the lawsuit.	7	A. None.
8	Q. What did you tell him?	8	Q. Alfredo Martir?
9	A. I said no.	9	A. Yes.
10	Q. Anything else that you recall about any	10	Q. Tell me, what did Alfredo do at
11	conversations with Nelson that we haven't discussed?	1	Bristol-Myers Squibb?
12	A. We talked about stocks.	12	A. Alfredo was my counterpart. He was my
13	Q. Stock in Bristol-Myers Squibb?	13	partner.
14	A. No, stock in other companies. Nelson	14	Q. Was he your pod partner?
15	and I always talked about stocks.	15	A. Yes.
16	Q. Anything else?	16	Q. Since leaving Bristol-Myers in February
		17	of 2006, have you spoken to him?
17	A. His daughter. We were friends.	į	· -
18	Q. Have you communicated with him in any	18	A. Yes.
18 19	Q. Have you communicated with him in any other way other than by phone and that one meeting?	18 19	A. Yes. Q. Have you met with him face-to-face?
18 19 20	Q. Have you communicated with him in any other way other than by phone and that one meeting?  A. No.	18 19 20	A. Yes. Q. Have you met with him face-to-face? A. Yes.
18 19 20 21	<ul><li>Q. Have you communicated with him in any other way other than by phone and that one meeting?</li><li>A. No.</li><li>Q. No e-mails?</li></ul>	18 19 20 21	<ul><li>A. Yes.</li><li>Q. Have you met with him face-to-face?</li><li>A. Yes.</li><li>Q. Let's talk about the first time you</li></ul>
18 19 20 21 22	<ul> <li>Q. Have you communicated with him in any other way other than by phone and that one meeting?</li> <li>A. No.</li> <li>Q. No e-mails?</li> <li>A. Yes, there are e-mails. When I get</li> </ul>	18 19 20 21 22	<ul> <li>A. Yes.</li> <li>Q. Have you met with him face-to-face?</li> <li>A. Yes.</li> <li>Q. Let's talk about the first time you recall either speaking with him or meeting him after</li> </ul>
18 19 20 21 22 23	<ul> <li>Q. Have you communicated with him in any other way other than by phone and that one meeting?</li> <li>A. No.</li> <li>Q. No e-mails?</li> <li>A. Yes, there are e-mails. When I get something funny on the computer, I generally forwar</li> </ul>	18 19 20 21 22 23	<ul> <li>A. Yes.</li> <li>Q. Have you met with him face-to-face?</li> <li>A. Yes.</li> <li>Q. Let's talk about the first time you recall either speaking with him or meeting him after leaving Bristol-Myers Squibb.</li> </ul>
18 19 20 21 22	<ul> <li>Q. Have you communicated with him in any other way other than by phone and that one meeting?</li> <li>A. No.</li> <li>Q. No e-mails?</li> <li>A. Yes, there are e-mails. When I get</li> </ul>	18 19 20 21 22	<ul> <li>A. Yes.</li> <li>Q. Have you met with him face-to-face?</li> <li>A. Yes.</li> <li>Q. Let's talk about the first time you recall either speaking with him or meeting him after</li> </ul>

B. Amendola Q. Was it soon after you left? A. Yes. Q. What did you discuss? A. We discussed what to order for lunch. Q. After discussing what to order for lunch. Q. After discussing what to order for lunch. Q. Have you discussed the lawsuit with him? A. Affedo is my best friend. Q. Have you discussed the lawsuit with him? A. Affedo all conversations what it was a lawsuit and that was the basis of our conversation. That was it. Q. Tell me about that conversation. What did you ore evaluated benefit from it as well. G. Q. Do you understand what he meant when he has what it was. I told him. He wished me good luck. He hoped that I did the right thing? A. Be honest and tell it the way it is, and explain to whoever! had to explain to exactly what we did and how we werent compensated for it. Q. What did you syn in response to that? A. Be honest and tell it the way it is, and explain to whoever! had to explain to exactly what we did and how we werent compensated for it. Q. What did he say in response to that? A. He works for Bristol-Myers Squibb. Q. Any other conversations with him other than the one we just talked about here relating to the lawsuit? A. A. No. Q. Where does he work now? A. I said thanks, Freddie. I said I'll do my best. Q. What did you say in response to that? A. I said thanks, Freddie is one with him other than the one we just talked about here relating to the lawsuit? A. A. No. Q. What did you so we werent compensated for it. Q. Does he know you're being deposed to? A. Posobly a week ago. Q. When did you tell him that? A. He knows I was going to Manhattan. Q. Does he know you're being deposed. I said I'll do good the proper than the angle of the case. Q. When did you tell him that? A. Probably a week ago. Q. When did you tell him that? A. Probably a week ago. Q. When did you tell him that? A. Probably a week ago. Q. Wher doesn't know it's deposed. I said I'm going there for the case. Q. When did you tell him that? A. Probably a week ago. Q. Wher doesn't know that it's called a deposition. He doesn't k		18		20
2 Q. Was it soon after you left? 3 A. Yes. 4 Q. What did you discuss? 5 A. We discussed what to order for lunch. 6 Q. After discussing what to order for lunch. 7 what did you discuss? 8 A. Alfredo called me when he heard that 1 three was a lawsuit and that was the basis of our 1 conversation. That was it. 9 Q. Have you discussed the lawsuit with him? 10 A. Alfredo called me when he heard that 1 do you ore call about it? 11 there was a lawsuit and that was the basis of our 1 conversation. That was it. 12 Q. Tell me about that conversation. What 1 do you recall about it? 13 A. He asked me good luck. He hoped that I did the 1 right thing so that he would benefit from it as well. 19 said do the right thing? 10 A. Of course I did. 19 what do you think he meant when he said to the right thing? 11 Q. What do you think he meant by that? 12 Q. What do you think he meant by that? 13 explain to whoever I had to explain to exactly what we did and how we weren't compensated for it. 20 What did you say in response? 11 A. B. Amendola 12 A. Well, he said that. 13 Q. What did you say in response? 14 A. I said thanks, Freddie. I said I'll do my best. 15 Q. What did you say in response? 16 Q. Any other conversations with him other than the one we just talked about here relating to 10 the lawsuit? 18 A. He works for Bristol-Myers Squibb. 19 Q. Have you communicated with him by e-mail 19 Q. Does he know that you're being deposed to? 16 Q. Does he know that you're being deposed to? 17 Q. Does he know what you're being deposed to? 18 A. He knows I was going to Manhattan. 19 Q. Does he know that you're being deposed to? 19 Q. Does he know that you're being deposed to? 19 Q. Does he know that you're being deposed to? 19 Q. Does he know that you're being deposed to? 19 Q. Does he know that you're being deposed to? 19 Q. Does he know that you're being deposed to? 19 Q. Does he know that you're being deposed to? 20 Q. Have you communicated by e-mail anything related to this lawsuit? 20 Q. Does he know that you're being deposed to? 20 Q. P	1	B. Amendola	1	B. Amendola
3 A. Yes. 4 Q. What did you discuss? 5 A. We discussed what to order for lumch. 6 Q. After discussing what to order for lumch. 7 What did you discuss? 8 A. Alfredo is my best friend. 9 Q. Have you discussed the lawsuit with him? 10 A. Alfredo called me when he heard that 11 there was a lawsuit and that was the basis of our 2 conversation. That was it. 11 do you recall about it? 12 A. He asked me what it was. I told him. 13 Q. Tell me about that conversation. What do you recall about it? 14 do you recall about it? 15 A. He asked me what it was. I told him. 16 He wished me good luck. He hoped that I did the right things on that he would benefit from it as well. 17 q. What did you distink he meant by that? 18 Q. Do you understand what he meant when he right thing? 19 A. Be honest and tell it the way it is, and 20 explain to whoever I had to explain to exactly what 24 we did and how we weren't compensate for it. 25 q. What did he say in response to that? 21 Q. What did he say in response to that? 22 A. I said thanks, Freddie. I said I'll do mybest. 23 Q. What did you say in response to that? 24 Mel, he said that. 25 Q. What did he say in response to that? 26 Q. What did you say in response to that? 27 Q. What did you say in response to that? 28 Q. What did you say in response to that? 29 A. I said thanks, Freddie. I said I'll do mybest. 4 Q. Any other conversations with him other than the one we just talked about here relating to that lawsuit? 4 A. I speak to Freddie sometimes five times a conversation when you discussed the lawsuit? 4 A. I speak to Freddie sometimes five times a conversation when you discussed the lawsuit? 4 A. I speak to Freddie sometimes five times a conversation with know it's deposed to? 4 A. I speak to Freddie sometimes five times a conversation with know it's deposed. I said deposition. He doesn't know ith sole posed to? 4 A. I speak to Freddie sometimes five times a deposition. He doesn't know ith sole posed to he had a deposition. He doesn't know ith sole posed to head a deposition. He doe	l			· · · · · · · · · · · · · · · · · · ·
4 Q. What did you discuss? 5 A. We discussed what to order for lunch. 6 Q. After discussing what to order for lunch. 7 what did you discuss? 8 A. Alfredo is my best friend. 9 Q. Have you discussed the lawsuit with him? 10 A. Alfredo called me when he heard that 1 there was a lawsuit and that was the basis of our 12 conversation. That was it. 12 Q. Tell me about that conversation. What do you recall about it? 13 Q. Tell me about that conversation. What 4 do you recall about it? 14 A. He asked me what it was. I told him. 14 do you recall about it? 15 A. He asked me good luck. He hoped that I did the 17 right thing so that he would benefit from it as well. 18 g. Do you understand what he meant when he 18 said doth the right thing? 19 A. Of course I did. 19 we did now we weren't compensate for it. 20 What do you shink he meant by that? 21 Q. What did he say in response to that? 22 A. Be honest and tell it the way if is, and 23 explain to whoever I had to explain to exactly what we did and how we weren't compensate for it. 24 we did and how we weren't compensate for it. 25 Q. What did you say in response with him other 19 than the one we just talked about here relating to 6 my best. 4 A. I said thanks, Freddie. I said I'll do my best. 5 Q. Where does he work now? 6 Q. Where does he work now? 7 A. He works for Bristol-Myers Squibb. 20 Q. Have you spoken to him since that 21 aloust anything related to this lawsuit?  10 A. No. 1 speak to Freddie sometimes five times 3 a deposition. He doesn't know that you're being deposed to 7 to 4 a deposition. He doesn't know that golden deposed to 7 to 4 a deposition. He doesn't know that golden deposed to 7 to 4 a deposition. He doesn't know that it's called	3	•	3	· · · · · · · · · · · · · · · · · · ·
5 A. We discussed what to order for lunch, what did you discuss? 6 A. Alfred is my best friend. 7 What did you discuss? 8 A. Alfredo is my best friend. 9 Q. Have you discussed the lawsuit with him? 10 A. Alfredo called me when he heard that 11 there was a lawsuit and that was the basis of our conversation. That was it. 13 Q. Tell me about that conversation. What do you recall about it? 15 A. He asked me what it was. I told him. 16 He wished me good luck. He hoped that I did the right thing so that he would benefit from it as well. 17 A. Or Course I did. 18 Q. Do you understand what he meant when he right thing so that he would benefit from it as well. 19 A. Or Course I did. 20 What do you think he meant by that? 21 A. Be honest and tell it the way it is, and explain to whoever I had to explain to exactly what we did and how we weren't compensated for it. 21 Q. What did he say in response to that? 22 A. Be honest and tell it the way it is, and explain to whoever I had to explain to exactly what we did and how we weren't compensated for it. 23 Q. What did you say in response? 24 A. I said thanks, Freddie. I said I'll do my best. 26 Q. What did you say in response? 27 A. He works for Bristol-Myers Squibb. 28 Q. Any other conversations with him other than the one we just talked about here relating to the lawsuit? 29 A. I speak to Freddie sometimes five times a week, sometimes once a week. 30 Q. Have you spoken to him since that conversation when you discussed the lawsuit? 31 A. No. 32 Q. Does he know you're being deposed to? 34 A. No. 35 Q. Does he know you're being deposed to? 36 A. No. 37 Q. Does he know you're being deposed to? 38 A. He's no the list of the jokes that I shout anything related to this lawsuit? 39 Q. Does he know you're being deposed to? 40 A. No, the doesn't know it's deposed. I said deposition. He doesn't know it's deposed. I said deposition. He doesn't know what it's called a deposition. He doesn't know it's deposed. I said caposition. He doesn't know it's deposed. I said caposition. He doesn't	l			
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Q. Have you spoken to him since that conversation when you discussed the lawsuit? A. I speak to Freddie sometimes five times a week, sometimes once a week. Q. Does he know that you're being deposed today?  A. He knows I was going to Manhattan. Q. Does he know you're being deposed to? A. No, he doesn't know that it's called a deposition. He doesn't know it's deposed. I said I'm going there for the case. Q. When did you tell him that? A. No.  12 A. No. 13 Q. You don't know who that is? A. No. 15 Q. Do you know who David Corry, C-O-R-R-Y in the lawsuit? A. No. 16 A. C-O-R-R-Y. I don't think so. 17 Q. A TBM and primary care in Delaware. 18 A. No. 19 Q. Never heard of him? 20 A. I may have seen him at a meeting, but the name doesn't ring a bell. 21 the name doesn't ring a bell. 22 Q. I guess back to Jacob Yanwitz. 23 A. Same thing. 24 A. Probably a week ago.	10	the lawsuit?	10	
Conversation when you discussed the lawsuit?  A. I speak to Freddie sometimes five times a week, sometimes once a week.  Q. Does he know that you're being deposed to today?  A. He knows I was going to Manhattan.  Q. Does he know you're being deposed to?  A. No, he doesn't know that it's called a deposition. He doesn't know it's deposed. I said I'm going there for the case.  Q. When did you tell him that?  A. Probably a week ago.  13 Q. You don't know who that is?  A. No.  14 A. No.  15 Q. Do you know who David Corry, C-O-R-R-Y in I don't think so.  17 Q. A TBM and primary care in Delaware.  18 A. No.  19 Q. Never heard of him?  A. I may have seen him at a meeting, but the name doesn't ring a bell.  21 Q. I guess back to Jacob Yanwitz.  23 A. Same thing.  24 Q. He's a territory business manager in	11	A. No.	11	Q. Y-A-N-W-I-T-Z?
A. I speak to Freddie sometimes five times a week, sometimes once a week.  Q. Does he know that you're being deposed today?  A. He knows I was going to Manhattan. Q. Does he know you're being deposed to? A. No, he doesn't know that it's called a deposition. He doesn't know it's deposed. I said I'm going there for the case. Q. When did you tell him that? A. No.  14 A. No. 15 Q. Do you know who David Corry, C-O-R-R-Y 16 A. C-O-R-R-Y. I don't think so. 17 Q. A TBM and primary care in Delaware. 18 A. No. 19 Q. Never heard of him? 20 A. I may have seen him at a meeting, but 21 the name doesn't ring a bell. 22 Q. I guess back to Jacob Yanwitz. 23 Q. When did you tell him that? 24 A. Same thing. 24 Q. He's a territory business manager in	12	Q. Have you spoken to him since that	12	A. No.
15 a week, sometimes once a week.  Q. Does he know that you're being deposed today?  A. He knows I was going to Manhattan.  Q. Does he know you're being deposed to?  A. No, he doesn't know that it's called a deposition. He doesn't know it's deposed. I said I'm going there for the case.  Q. When did you tell him that?  A. Probably a week ago.  15 Q. Do you know who David Corry, C-O-R-R-Y A. C-O-R-R-Y. I don't think so.  17 Q. A TBM and primary care in Delaware.  18 A. No.  19 Q. Never heard of him?  20 A. I may have seen him at a meeting, but the name doesn't ring a bell.  21 the name doesn't ring a bell.  22 Q. I guess back to Jacob Yanwitz.  23 A. Same thing.  24 Q. He's a territory business manager in	13	conversation when you discussed the lawsuit?	13	Q. You don't know who that is?
15 a week, sometimes once a week.  Q. Does he know that you're being deposed today?  A. He knows I was going to Manhattan.  Q. Does he know you're being deposed to?  A. No, he doesn't know that it's called a deposition. He doesn't know it's deposed. I said I'm going there for the case.  Q. When did you tell him that?  A. Probably a week ago.  15 Q. Do you know who David Corry, C-O-R-R-Y A. C-O-R-R-Y. I don't think so.  17 Q. A TBM and primary care in Delaware.  18 A. No.  19 Q. Never heard of him?  20 A. I may have seen him at a meeting, but the name doesn't ring a bell.  21 the name doesn't ring a bell.  22 Q. I guess back to Jacob Yanwitz.  23 A. Same thing.  24 Q. He's a territory business manager in	14	A. I speak to Freddie sometimes five times	14	A. No.
17 today?  18 A. He knows I was going to Manhattan. 19 Q. Does he know you're being deposed to? 20 A. No, he doesn't know that it's called a 21 deposition. He doesn't know it's deposed. I said 21 I'm going there for the case. 22 Q. When did you tell him that? 23 Q. When did you tell him that? 24 A. Probably a week ago.  17 Q. A TBM and primary care in Delaware.  18 A. No.  20 A. I may have seen him at a meeting, but 21 the name doesn't ring a bell. 22 Q. I guess back to Jacob Yanwitz. 23 A. Same thing. 24 Q. He's a territory business manager in	15			Q. Do you know who David Corry, C-O-R-R-Y
17 today?  A. He knows I was going to Manhattan.  19 Q. Does he know you're being deposed to?  20 A. No, he doesn't know that it's called a  21 deposition. He doesn't know it's deposed. I said  21 I'm going there for the case.  22 Q. When did you tell him that?  23 Q. When did you tell him that?  24 A. Probably a week ago.  17 Q. A TBM and primary care in Delaware.  18 A. No.  19 Q. Never heard of him?  20 A. I may have seen him at a meeting, but  21 the name doesn't ring a bell.  22 Q. I guess back to Jacob Yanwitz.  23 A. Same thing.  24 Q. He's a territory business manager in	16	Q. Does he know that you're being deposed	16	A. C-O-R-R-Y. I don't think so.
A. He knows I was going to Manhattan.  Q. Does he know you're being deposed to?  A. No, he doesn't know that it's called a  deposition. He doesn't know it's deposed. I said  I'm going there for the case.  Q. When did you tell him that?  A. No.  19  Q. Never heard of him?  20  A. I may have seen him at a meeting, but  the name doesn't ring a bell.  22  Q. I guess back to Jacob Yanwitz.  23  Q. When did you tell him that?  24  A. Same thing.  Q. He's a territory business manager in	17	- · · · · · · · · · · · · · · · · · · ·	}	Q. A TBM and primary care in Delaware.
Q. Does he know you're being deposed to?  A. No, he doesn't know that it's called a deposition. He doesn't know it's deposed. I said led a led	18	· · · · · · · · · · · · · · · · · · ·	18	A. No.
A. No, he doesn't know that it's called a deposition. He doesn't know it's deposed. I said I'm going there for the case.  Q. When did you tell him that?  A. Probably a week ago.  20 A. I may have seen him at a meeting, but the name doesn't ring a bell.  22 Q. I guess back to Jacob Yanwitz.  23 A. Same thing.  24 Q. He's a territory business manager in	19		19	Q. Never heard of him?
21 deposition. He doesn't know it's deposed. I said 22 I'm going there for the case. 23 Q. When did you tell him that? 24 A. Probably a week ago. 21 the name doesn't ring a bell. 22 Q. I guess back to Jacob Yanwitz. 23 A. Same thing. 24 Q. He's a territory business manager in		· · · · · · · · · · · · · · · · · · ·	f	A. I may have seen him at a meeting, but
22I'm going there for the case.22Q. I guess back to Jacob Yanwitz.23Q. When did you tell him that?23A. Same thing.24A. Probably a week ago.24Q. He's a territory business manager in	1		21	
Q. When did you tell him that? 23 A. Same thing. A. Probably a week ago. 24 Q. He's a territory business manager in	ł	-	22	-
A. Probably a week ago. 24 Q. He's a territory business manager in	l		23	- ·
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		22		24
1		B. Amendola	1	B. Amendola
2	A,	I don't think I know anyone named Jacob.	2	A. I think he said the division was
3	Q.	William Yanwitz?	3	disbanded.
4	Ä.	I don't think so.	4	Q. What division was that?
5	Q.	Jocelyn Martin?	5	A. I'm not sure. Immunology perhaps. I'm
6	À.	I don't think so.	6	not sure.
7	O.	Just to be clear, other than the	7	Q. Do you know how he got your phone
8	•	Myers Squibb employees current and former	8	number?
9		entioned, have you spoken to anyone else,	9	A. He did a Google search of Bristol-Myers
10		nicated by e-mail, phone or in person or any	10	Squibb.
11		ay other than those individuals that I	11	Q. He said that's how he found your phone
12		ned related to this lawsuit?	12	number?
13	A.	I did get a call on Friday night from a	13	A. That's how he found my name.
14		ntative from Bristol-Myers Squibb.	14	Q. How did he find your phone number?
15	Q.	Who called you?	15	A. Information.
16	Ä.	Sam Smith.	16	Q. He called you at home?
17	Q.	Who is Sam Smith?	17	A. Yes.
18	À.	He's a representative in Tennessee.	18	Q. How long was that conversation?
19	Q.	What did Sam Smith have to say?	19	A. Twenty minutes.
20	Ä.	He asked me for the names of the	20	Q. What did you discuss in those twenty
21	attorney	s who are representing the lawsuit and I gave	21	minutes?
22		ir numbers.	22	A. His career at Bristol, the last time I
23	Q.	Did he tell you why?	23	saw him, what he's been doing since October.
24	A.	He said he would like to join.	24	Q. What did he say about his career at
25	Q.	Like to join what?	25	Bristol-Myers Squibb?
		23		25
1		B. Amendola	1	B. Amendola
2	A.	A class action lawsuit.	2	A. He said he just completed ten years and
3	Q.	What did you say to him?	3	he loved his job.
4	A.	I gave him the numbers.	4	Q. You said he also discussed the last time
5	Q.	Did you respond in any way other than to	5	you saw him?
6	give hir	n phone numbers?	6	A. I had seen him about I had seen him
7	Α.	I said good.	7	at a sales meeting.
8	Q.	Anything else other than saying good?	8	Q. Where?
9	A.	No.	9	A. I don't remember.
10	Q.	Did he share anything else with you	10	Q. When?
11	other th	an that he would like to join the lawsuit?	11	A. I don't remember.
12	A.	Not really, no.	12	Q. After you left
13	Q.	Is he currently employed by	13	A. No, I was with Bristol-Myers.
14	Bristol-	Myers Squibb?	14	Q. Anything else you discussed about the
15	A.	He was.	15	last time you saw him?
16	Q.	Is he currently employed?	16	A. No. I was happy to see him. I had seen
17	A.	I don't know if he's currently employed.	17	him periodically at sales meetings.
18		displaced in October.	18	Q. What did he say that he's been doing
19	Q.	Well, my question is: Is he currently	19	since leaving Bristol-Myers?
20		ed by Bristol-Myers Squibb?	20	A. Looking for a job.
21	Α.	No.	21	Q. What kind of a job?
22	Q.	Do you know why he isn't?	22	A. I don't know.
23	Α.	But	23	Q. You didn't ask him?
24	Q.	Do you know why he isn't employed by	24	A. No.
25		Myers Squibb?	25	Q. What did he do at Bristol-Myers?

	***************************************	26		28
1		B. Amendola	1	B. Amendola
2	A.	Pharmaceutical rep.	2	Q. I didn't ask.
3		Do you know where he was located?	3	A. I anticipated it.
4	-	When I knew him, when I originally met	4	Q. I wasn't going to. When was the first
5		as in Fort Meyers, Florida, and then he was	5	time that you discussed suing Bristol-Myers Squibb
6		rille. I think he said Knoxville, Tennessee,	6	with an attorney?
7		ere he was living.	7	A. It was 2007. I don't know if it was the
8		Anything else about the discussion?	8	spring or the early summer. I don't remember.
9	-	No.	9	Q. Without telling me because I don't want
10		Anything you haven't shared about the	10	to know any conversation that you had with an
11	conversa	· · · · · · · · · · · · · · · · · · ·	11	attorney, I would like to know who you met with.
12	A.	No.	12	A. I did not meet with anyone. It was a
13	Q.	Other than Sam Smith and the other	13	phone conversation.
14	~	ils that we've already talked about, have you	14	Q. Who did you speak to?
15		icated in any way with any current or former	15	A. I think it was Eric Kingsley. I think.
16		Iyers Squibb employee?	16	I'm not quite sure.
17		I ran into Melanie Briner.	17	MR. BROWN: We'll note on the record
18	Q.	Can you spell that last name?	18	that Amy Sandgrund-Fisher of Bristol-Myers Squibb has
19	_	B-R-I-N-E-R.	19	just come into the room.
20	Q.	Anyone else?	20	Q. After speaking with Mr. Kingsley, did
21		I don't think so.	21	you speak to any other attorneys?
22	Q.	Who is Melanie Briner?	22	A. I don't think so. I didn't write down
23	_	Melanie Briner is a hospital rep with	23	their names. I may have spoken to a female attorney,
24		lyers Squibb.	24	but I don't remember her name.
25		Where is she located?	25	Q. Do you know what firm Eric Kingsley is
	and the second of the second	27		29
1		B. Amendola	1	B. Amendola
2	A.	Fort Lauderdale.	2	with?
3	Q.	When was this?	3	A. I think he's with Kingsley & Kingsley.
4	À.	Maybe a month ago.	4	Q. When you spoke to Mr. Kingsley for the
5	Q.	Was it a face-to-face conversation?	5	first time, did you call him?
6	À.	Yes.	6	A. No.
7	Q.	How long was the conversation?	7	Q. He called you?
8	À.	Five minutes.	8	A. Yes.
9	Q.	Where was it?	9	Q. How did he hear about you?
10	A.	Broward General Hospital.	10	A. I had seen his ad for I saw Kingsley
11	Q.	What did you discuss?	11	& Kingsley pharmaceutical representatives. I think
12	A.	A man that I was going out with.	12	it said "do you feel you are entitled to overtime
13	Q.	Anything else?	13	pay" and I clicked on it, it was on the Internet, and
14	A.	She asked me, she said "you're in this	14	I submitted my name.
15	lawsuit?	" I said yes. I said, "I can't discuss it	15	Q. When you say it was on the Internet, was
16	• • • • • • • • • • • • • • • • • • • •		16	this on Cafepharma?
17	Q.	Did she say anything in response to	17	A. Yes.
18	that?		18	Q. I'm not familiar with Cafepharma, so I
19	A.	She laughed.	19	will apologize, but is there a specific place in or
20	Q.	Anything else?	20	within the site of Cafepharma that's particular to
21	A.	She said good luck.	21	Bristol-Myers Squibb?
22	Q.	Anything else?	22	A. Yes.
23	A.	Good-bye.	23	Q. Is that where you were when you saw
24	Q.	Anything else?	24	Mr. Kingsley's ad?
25	A.	I hope your date goes well. It didn't.	25	A. No.

	30	Andrew Constitution	32
1	B. Amendola	1	B. Amendola
2	Q. Where did you see his ad?	2	A. Yes.
3	A. It was at the home page of Cafepharma.	3	Q. Who?
4	Q. How soon after you had clicked on his	4	A. I don't know.
5	banner or his ad and submitted your name that you	5	Q. What are you referring to?
6	received a phone call?	6	A. Well, after the lawsuit came out there
7	A. I don't know.	7	were messages on my behalf and also messages that
8	Q. Was it within days or weeks?	8	were not on my behalf.
9	A. It would probably be weeks. I don't	9	Q. Do you recognize any of the people that
10	know.	10	posted one way or the other?
11	Q. Was he the first person to call you?	11	A. Everything is anonymous.
12	A. I think so.	12	Q. You didn't post at all?
13	Q. What is Cafepharma if you could tell me?	13	A. No.
14	A. Cafepharma is a site with a list of	14	Q. Why not?
15	pharmaceutical companies that I guess it's a	15	A. I didn't have to. Everyone else was.
16	gossip board, but you can also find jobs there. You	16	Q. You didn't feel like it?
17	can do surveys there. It's just a site for	17	A. If you're involved in a legal action
18	pharmaceutical representatives.	18	then you don't do that.
19	Q. Was there a reason that you were on the	19	Q. Why couldn't you speak to is it
20	Cafepharma website when you saw Mr. Kingsley's	20	Ms. Briner?
21	advertisement?	21	A. Yes.
22	A. Just habit, gossip.	22	Q. You said you can't talk about the
23	Q. Were you aware at the time that you	23	lawsuit, why not?
24	clicked on Mr. Kingsley's advertisement that there	24	A. Because I was advised not to.
25	were other lawsuits for overtime pay against other	25	MR, MAAZEL: Move to strike that answer.
	31	novembry populari com special de	33
1	B. Amendola	1	B. Amendola
2	pharmaceutical companies?	2	Don't try to avoid any conversations you ever had
3	A. I don't know.	3	with an attorney.
4	Q. You don't recall that?	4	Q. At some time have you learned in the
5	A. I don't know the time line of that.	5	last year or two that Mr. Kingsley is representing
6	Q. Had you read on Cafepharma anything	6	other plaintiffs suing other pharmaceutical companies
7	about any other lawsuits at the time that you clicked	7	for the same reason that you're suing?
8	on Mr. Kingsley's advertisement?	8	MR. MAAZEL: I object to that on
9	A. No.	9	attorney/client privilege.
10	Q. How did it occur to you that	10	MR. BROWN: I accept your objection.
11	Mr. Kingsley may help you.	11	Q. Let me be very clear that I don't want
12	MR. MAAZEL: Form objection, but you can	12	to know about any conversations that you've had with
13	answer.	13	Mr. Kingsley or any other attorney.
14	A. It never entered my mind that he would	14	My question to you is: Have you learned
15	help me. It just seemed like an answer to a dilemma	15	in the last year or two that Mr. Kingsley represents
16	that I had had for years.	16	other employees suing other pharmaceutical companies?
17	Q. That dilemma was what?	17	If you can't answer that question
18	A. That I was working in excess of 40 hours	18	because of a conversation you've had with
19	a week and I wasn't being compensated for it.	19	Mr. Kingsley, then you will say so, but if it's based
20	Q. Have you posted any comments on the	20	on other information, I want to know.
21	Cafepharma website since leaving Bristol-Myers	21	A. I can't answer that because of
22	Squibb?	22	conversation with Mr. Kingsley. I believe, I think I
23	A. No.	23	will say that, I think that he told me
	Q. Has anyone on your behalf filed or	24	MR. MAAZEL: No, no, don't discuss any
24 25	posted any messages on the Cafepharma website?	25	conversation you had with an attorney.

		34		÷÷	36
1	B. Ame	ndola	1		B. Amendola
2		arned that Mr. Kingsley or	2	Α.	Yes.
3	·	day represent any employees in	3	Q.	Your 30-year old, what is his or her
4		t pharmaceutical companies by	4	name?	
5	looking on the Intern		5	A.	Melissa.
6	A. Yes.		6	Q.	Where does Melissa live?
7	Q. What did yo	ou learn on the Internet?	7	À.	Coconut Creek, Florida.
8	A. I learned the	e different lawsuits that	8	Q.	Where does Melissa work?
9	are taking place.		9	À.	AstraZeneca Pharmaceuticals.
10	Q. When did y	ou learn about those lawsuits?	10	Q.	What does she do for AstraZeneca?
11	A. I don't knov	٧.	11	À.	She is a cardiovascular specialist.
12	Q. Was it before	re you filed your lawsuit?	12	Q.	What is that job?
13	A. No.		13	À.	It's a specialty position.
14	Q. It was after?	)	14	Q.	Is it a specialty sales rep position?
15	A. Yes.		15	À.	Yes.
16	Q. What did yo	ou do to prepare for today's	16	Q.	How long has she been working for
17	deposition, if anythir		17	AstraZe	
18	A. I reread my	declaration.	18	A.	Approximately seven or eight years.
19	Q. Did you spe	ak to anybody?	19	Q.	Have you discussed this lawsuit with
20	MR. MAAZI	EL: Form objection. You can	20	your ch	
21	answer.		21	Α.	No.
22	A. Yes.		22	Q.	Your daughter Melissa doesn't know
23	Q. Who did yo	u speak with?	23	-	ven't shared with her anything about this
24	A. My attorney	'S.	24	lawsuit'	
25	Q. Was anyboo	ly else present other than your	25	A.	I've told her that I am involved in a
		35			37
1	B. Am	endola	1		B. Amendola
2	attorneys?		2	lawsuit	for overtime compensation, but that's it.
3	A. No.		3	Q.	Has she spoken to you about the lawsuit?
4	Q. Did you sp	beak to anybody else about the	4	A.	She said good luck, mommy.
5	deposition other tha	n your attorneys?	5	Q.	Anything else?
6	A. No.		6	A.	No.
7	Q. Are you m	arried?	7	Q.	Is your daughter involved in a lawsuit?
8	A. No.		8	A.	Definitely not.
9		thout getting trying to get	9	Q.	Not this lawsuit, but any lawsuit?
10		a have a significant other or	10	A.	No.
11	someone you live w	rith?	11	Q.	Do you talk to your daughter about how
12	A. No.		12		mpensated?
13	-	ve children?	13	A.	Yes, I have.
14	A. Yes.		14	Q.	How is your daughter compensated at
15	Q. How old a	•	15	AstraZe	•
16		ree and 30.	16	Α.	She has a base salary and she has a
17		es your 23-year old live?	17		tructure.
18	A. Aventura,	· · · · · · · · · · · · · · · · · · ·	18	Q.	She doesn't get overtime, does she?
19	•	at child's name?	19	Α.	No.
20	A. Alexis.		20	Q.	Have you talked to her about her
21	Q. Does Alex	is work?	21	-	sation structure?
22	A. Yes.		22	Α.	Yes.
23	-	es she work?	23	Q.	What have you told her?
24		untry Day School.	24	Α.	I've told her that if I'm successful at
25	Q. Is she a tea	acner?	25	this law	suit, then it will be better for her as well

10 (Pages 34 to 37)

	38		40
1	B. Amendola	1	B. Amendola
2	as for me.	2	A. No.
3	Q. When did you tell her that?	3	Q. Let me go through some very basic
4	A. In the very beginning.	4	we'll try to do this as quickly as I can.
5	Q. What did she say?	5	What's your full name?
6	A. She said good luck.	6	A. Beth Roberta Amendola.
7	Q. What about Alexis, have you talked to	7	Q. I know you gave your address, but I
8	her about the lawsuit in any way?	8	didn't hear it. What is your current home address?
9	A. Not really, no.	9	A. 5165 Northwest 50th Terrace.
10	Q. When you say "not really," what do you	10	Q. Where is that?
11	mean?	11	A. Coconut Creek, Florida 33073.
12	A. I said the same thing. If I win the	12	Q. How long have you been at that address?
13	lawsuit actually, I said to her if I'm successful	13	A. Five years and a few months.
14	at the lawsuit, then I will benefit and we'll all	14	Q. Before that?
15	benefit.	15	A. I was at
16	Q. Anyone else that you've spoken to about	16	Q. In Coral Springs?
17	the deposition? Let me strike that.	17	A. Right, 5028
18	Did you tell them that you were coming	18	Q. 5029 Northwest?
19	today for this deposition?	19	A. 5029 Northwest 102nd Drive, Coral
20	A. I just told them that I was I didn't	20	Springs, Florida.
21	mention deposition. I said I'm coming to Manhattan	21	Q. How long were you at that address?
22	to work on the lawsuit.	22	A. Thirteen years.
23	Q. Have you told anyone that you're here	23	Q. How many years have you lived in
24	for a deposition other than your attorneys?	24	Florida?
25	A. No, because they wouldn't know what I	25	A. Since 1983.
	39		41
1	B. Amendola	1	B. Amendola
2	was talking about.	2	Q. Do you own your current home?
3	Q. You said that you reviewed your	3	A. Yes.
4	declaration in preparation for today's deposition,	4	Q. Have you been married before?
5	yes?	5	A. Yes.
6	A. Yes.	6	Q. When were you divorced?
7	Q. Any other documents that you recall	7	A. I was never divorced.
8	looking at?	8	Q. I'm sorry. I was making a wrong
9	A. I don't know what they're called. I	9	assumption. Are you currently married?
10	don't know what they're called.	10	A. No.
11	Q. Maybe you could describe them.	11	Q. How did your marriage end?
12	A. The one versus	12	A. My husband died.
13	Q. The Complaint?	13	Q. When was that?
14	A. The Complaint and the preliminary	14	A. October 30, 1993.
15	statement.	15	Q. Was that your first marriage?
16	Q. Did you look at anything else that you	16	A. My only marriage.
17	recall?	17	Q. I would like to ask you a few questions
18	A. No.	18	about your educational background.
19	Q. Did you look at any deposition	19	Where did you attend high school?
20	transcripts?	20	A. Abraham Lincoln High School in
21	A. No.	21	Q. Where is that?
22	Q. Did anyone read to you any testimony?	22	A. In Brooklyn, New York.
23	A. No.	23	Q. Did you graduate high school?
24	Q. Anybody characterize any testimony	24	A. Yes.
25	that's been given?	25	Q. Do you recall what year?

	42		44
1	B. Amendola	1	B. Amendola
2	A. 1965.	2	A. Yes.
3	Q. After that you went to college, Brooklyn	3	Q. Any other education or training other
4	College?	4	than what we've talked about?
5	A. Brooklyn College.	5	A. Not formal education. I took the Wilton
6	Q. When did you graduate Brooklyn College?	6	cake decorating class.
7	A. June of 1969.	7	Q. Fair enough. When was that? I don't
8	Q. Did you have a major?	8	care. Any other kinds of education, formal or
9	A. English literature.	9	informal?
10	Q. Did you study business at all?	10	A. A lot of cooking classes. That's about
11	A. No.	11	it.
12	Q. How did you do in school?	12	Q. Have you ever been a member of a
13	A. I did all right.	13	professional association?
14	Q. You got a degree?	14	A. No.
15	A. Yes.	15	Q. Have you ever held a professional
16	Q. BA?	16	license?
17	A. BA.	17	A. No.
18	Q. After graduating from Brooklyn College	18	Q. I'm going to show you what has already
19	in 1969, did you attend any other university or	19	been marked as Amendola 1. Take your time and let me
20	college?	20	know when you're done perusing it.
21	A. I went to Brooklyn College.	21	A. That's what I perused.
22	Q. Well, after Brooklyn College.	22	Q. Okay. You've seen this document before?
23	A. Well, I went to Brooklyn College for	23	A. Yes.
24	graduate school. I took I think about ten or 12	24	Q. Is this your Complaint?
25	credits there. I don't remember.	25	A. Yes.
	43	2000	45
1	B. Amendola	1	B. Amendola
2	Q. In what field?	2	Q. Did you review this Complaint with your
3	A. English literature.	3	attorneys before it was filed in court?
4	Q. Did you transfer to another school?	4	A. I believe so.
5	A. I went to Long Island University and I	5	Q. Do you believe that the Complaint is
6	think I took about 18 graduate credits there.	6	true and accurate?
7	Q. Did you receive a degree from LIU?	7	A. Yes.
8	A. No.	8	Q. Is there anything that you've learned
9	Q. Did you receive any graduate degree?	9	since the filing of this Complaint that's not
10	A. No.	10	accurately stated in the Complaint?
11	Q. At some point did you attend Hofstra	11	A. No.
12	University?	12	Q. Are there any other claims or potential
13	A. Yes.	13	claims that you have against Bristol-Myers Squibb
14	Q. When was that?	14	that are not reflected in this Complaint?
15	A. It was in I believe it was June of	15	MR. MAAZEL: I'm going to object to that
16	1977, and I think I took either six or nine credits	16	question.
17	there.	17	Q. Other than your claim for overtime, are
18	Q. What were you taking there classes?	18	there any other claims that you have against
19	A. I took one psychology class. I know I	19	Bristol-Myers Squibb?
20	took a phys ed class, but I don't remember if I took	{	A. No.
21	a third or I just took those two.	21	MR. MAAZEL: I object to the question.
22	Q. Any business classes?	22	MR. BROWN: On what grounds?
23	A. No.	23	MR. MAAZEL: You're calling potentially
24	Q. So you have a BA and no other degrees,	24	for a legal conclusion.
25	but a number of courses?	25	Q. Any other complaints of any kind against

	46		48
1	B. Amendola	1	B. Amendola
2	Bristol-Myers Squibb other than what's reflected in	2	those documents.
3	the Complaint in this action?	3	A. I went into whatever files I had
4	MR. MAAZEL: Form objection, but you can	4	remaining and piled up the documents, piled up the
5	answer.	5	papers.
6	A. No.	6	Q. Did you produce all of those documents
7	Q. Thank you. You can set that aside. I'm	7	to your counsel?
8	going to show you a bunch of documents. I'm showing	1	A. I produced whatever I had.
9	you what has been pre-marked as Amendola 2, which i	3	Q. Did you search in addition to hard copy
10	entitled Plaintiff's Initial Disclosures Pursuant to	10	files anything on your computer?
11	Rule 26 (a)(1) of the Federal Rules of Civil	11	A. When I was displaced Bristol took my
12	Procedure. It is dated it is not dated.	12	computer.
13	Do you recognize this document,	13	Q. Let me ask it again. Do you have a
14	Ms. Amendola?	14	computer?
15	A. No.	15	A. I have a personal computer.
16	Q. Have you ever seen this document before	16	Q. Is there anything on that computer that
17	today?	17	you searched for related to this lawsuit and produced
18	A. No.	18	to your counsel?
19	Q. You can set that aside. I'm going to	19	A. There was nothing on the computer that
20	show you what has been marked for identification as	20	was related to this lawsuit.
21	Amendola 3. This is a document entitled Plaintiff's	21	Q. While you were employed at Bristol-Myers
22	Responses to Defendants' First Set of Interrogatories	22	Squibb, did you keep a calendar of any kind?
23	to Plaintiff Beth Amendola.	23	A. I had a day planner.
24	Do you recognize this document?	24	Q. A hard calendar?
25	A. No.	25	A. A Franklin planner.
	47		49
1	B. Amendola	1	B. Amendola
2	Q. You've never seen this document before	2	Q. Do you still have that?
3	today?	3	A. No.
4	A. No.	4	Q. For any of the years that you worked at
5	MR. BROWN: Ilann, has Ms. Amendola ever	5	Bristol-Myers Squibb?
6	verified the interrogatory responses? Has anybody?	6	A. No.
7	MR. MAAZEL: Do you know the answer to	7	Q. Do you know where they are?
8	that?	8	A. In the trash.
9	MS. SAYLOR: I don't remember.	9	Q. When did you throw away your 2006
10	MR. BROWN: We'll talk off the record	10	calendar?
11	about that.	11	A. December 31st, 2006.
12	MR, MAAZEL: I'm not sure.	12	Q. When did you throw away your 2005
13	Q. I'm going to show you another document	13	calendar?
14	which we've marked for identification as Amendola 4.	14	A. December 31st, 2005.
15	This is a document entitled Plaintiff's Responses to	15	Q. When did you throw away your 2004
16	Defendants' First Request For Production of	16	calendar?
17	Documents.	17	A. The same thing.
18	Have you ever seen this document before?	18	Q. At the end of the year of 2004?
19	Take your time.	19	A. Right, at the end of the year.
20	A. No.	20	Q. Same question for 2003.
21	Q. Have you at any time searched for	21	A. Same thing.
22	documents relevant to this lawsuit, documents in your	22	Q. Did you keep an electronic calendar of
1 .		2.2	and IrindO
23	possession?	23	any kind?
23 24 25	A. Yes. Q. Tell me about what you did to search for	24 25	A. No. Q. Did you keep electronically or anywhere

	50		52
1	B. Amendola	1	B. Amendola
2	else a list of appointments?	2	any documents in your possession related to this
3	A. No.	3	lawsuit while you worked at Bristol-Myers Squibb and
4	Q. It was all in your Franklin planner?	4	after?
5	A. Either in the planner or in my head.	5	MR. BROWN: Let me withdraw that
6	Q. Do you keep a calendar today?	6	question.
7	A. Yes.	7	Q. While you were employed at Bristol-Myers
8	Q. Do you have that calendar with you?	8	Squibb, were you ever directed by anyone to retain
9	A. No.	9	documents related to your employment?
10	Q. In searching for documents related to	10	A. Yes.
11	this lawsuit, did you ask for any documents from	11	Q. Who?
12	colleagues, friends, former colleagues?	12	A. I don't think I could tell you who. It
13	A. No.	13	was a directive that this is what you did, that you
14	Q. Are you aware of anyone other than	14	would retain certain documents. It was part of
15	Bristol-Myers Squibb, and the documents you've	15	policy.
16	already produced to your attorneys, who would have	16	Q. Did you comply with that directive?
17	information relevant to this lawsuit?	17	A. Yes.
18	MR. MAAZEL: Form objection. You can	18	Q. Do you know whether that directive
19	answer.	19	included retaining your calendars?
20	A. Not pertinent to the lawsuit, but things	20	A. No.
21	that but documents that could respond to	21	Q. That was poorly phrased.
22	questions, other reps, reps who are still employed by	22	A. I know.
23	Bristol-Myers Squibb.	23	Q. Did the directive include retaining your
24	Q. I'm going to show you another document.	24	calendars?
25	It's marked Amendola 5. It's entitled Declaration of	25	MR. MAAZEL: Form objection.
***************************************	51		53
1	B. Amendola	1	B. Amendola
2	Beth Amendola.	2	A. I don't think so.
3	Have you seen this document before?	3	Q. After high school, what was your first
4	A. Yes.	4	job? Do you recall?
5	Q. This is the document you reviewed before	5	A. I sold sausages.
6	coming to this deposition?	6	Q. Where did you do that?
7	A. Yes.	7	A. Supermarket.
8	Q. What is this document?	8	Q. Next job.
9	A. Declaration of Beth Amendola.	9	A. Dental assistant.
10	Q. Is that your signature on the last page?	10	Q. Was this while you were in college?
11	A. Yes.	11	A. Yes.
12	Q. Is this declaration accurate?	12	Q. Any other jobs while you were in
13	A. Yes.	13	college?
14	Q. Truthful?	14	A. Yes, I worked for Scudder, Stevens,
15	A. Yes.	15	Clark as a coating clerk.
16	Q. Did you draft this document?	16	Q. Scudder, S-C-U-D-D-E-R, Stevens?
17	A. Orally.	17	A. Stevens, Clark as a coating clerk. I
18	Q. Anything you would change in this	18	worked for Metropolitan Life as an actuarial trainee.
19	declaration?	19	Q. What's an actuarial trainee generally?
20	MR. MAAZEL: Form objection. You can	20	A. It's a position where you work on
21	answer if you understand it.	21	probability and statistics of people dying.
22	A. Let me look it over to see if there is	22	Q. Were you trained in mathematics or
23	anything I would change. No.	23	accounting?
24	Q. While you were employed at Bristol-Myers	24	A. I was trained to use a probably the
25	Squibb and after, were you ever directed to retain	25	forerunner of a small calculator, a calculator like

	54		56
1	B. Amendola	1	B. Amendola
2	this (indicating) with numbers across, down and in	2	A. I did.
3	the middle. I worked there for two months. I needed	1	Q. Could you tell me what you did?
4	a summer job and that's what I did.	4	A. I think it was 1980 I had a hand knit
5	Q. Any other jobs while you were in	5	sweater business in Greenwich, Connecticut.
6	college?	6	Q. You owned it?
7	A. Probably a checker in a supermarket.	7	A. Yes.
8	Q. Anything else that you recall?	8	Q. What was it called?
9	A. No.	9	A. It was called BA.
10	Q. After graduating from Brooklyn with your	10	Q. Sorry?
11	BA, what was your first job?	11	A. It was BA. It was a one-person
12	A. I was a teacher of English.	12	business.
13	Q. Where were you a teacher of English?	13	
14	A. Boody Junior High School in Brooklyn.	14	Q. Did you do all of the accounts
1		ž.	receivable and accounts payable?
15	The state of the s	15	A. I did everything.
16	A. Yes.	16	Q. Let me ask it again. I know this is an
17	Q. What did you teach?	17	awkward kind of experience. We're not having a
18	A. English.	18	normal conversation. So let me ask it again.
19	Q. How long were you a teacher?	19	Did you do the accounts payable and the
20	A. I taught at Boody until 1977.	20	accounts receivable?
21	Q. I apologize, I didn't ask when you	21	A. Yes.
22	started I don't think.	22	Q. Did you take care of all of the finances
23	A. I started in 1969 and I taught there	23	of the business?
24	until my daughter was born in '77, and then I taught	24	A. Yes.
25	in Queens. I transferred to Queens because it was	25	Q. Could you describe that generally for
	55	make Annabassa da sa Annabassa	57
1	B. Amendola	1	B. Amendola
2	closer to my home, and I taught there for	2	me?
3	approximately two years.	3	A. I will give it to you really briefly. I
4	Q. Did you have any summer jobs while you	4	knitted 102 sweaters in one year. The sweaters sold
5	were a teacher?	5	between three and \$600 each. I couldn't knit them
6	A. No.	6	fast enough. They cost \$21.42 to make. That was my
7	Q. Where did your husband worked?	7	business.
8	A. My husband was when? Not when he was	8	Q. Good business woman.
9	a boy?	9	A. I was exhausted.
10	Q. No, I guess I'm asking you when you were	10	Q. Do you think of yourself as a good
11	in college.	11	business woman?
12	A. When I was in college he was a butcher.	12	MR. MAAZEL: Form objection. You can
13	Q. After college, your college?	13	answer.
14	A. After college he was a butcher and he	14	A. I think that I am a very hard worker.
15	was a butcher until we moved to Florida.	15	Q. How did you determine the price of those
16	Q. What did he do in Florida?	16	sweaters?
17		17	i i
1			A. I priced them according to what the
18	was a furniture manufacturer. He had a factory.	18	traffic would bear.
19	Q. Did he own the factory?	19	Q. Did you do any marketing for the company
20	A. Yes.	20	you owned?
21	Q. What was it called?	21	A. I did everything, including the
22	A. It was called AA Mica II.	22	marketing.
23	Q. I believe, and you will tell me if I'm	23	Q. Tell me about your marketing.
1 -	1 . 1		, , , , , , , , , , , , , , , , , , ,
24 25	wrong, but between 1980 and 1990 you did not have work outside the home, correct?	24 25	A. I went to two of the hottest stores on Greenwich Avenue with my sweaters, and I showed them

	58		60
	B. Amendola	1	B. Amendola
2	the sweaters, and they took it from there. They said	2	how to prepare them and hoped that the chef would
3	we'll take whatever you can do.	3	want to order them for his restaurant.
4	Q. Did you have a business plan?	4	Q. You tried to convince him too, right?
5	A. No.	5	A. I promoted them to the chef in hopes
6	Q. After the BA company in Greenwich, did	6	that the chef would like the food.
7	you have any other employment between 1980 and 1990?	_	Q. If he or she liked the food, what would
8	A. I basically helped my husband in his	8	happen?
9	business.	9	A. He could order it from the distributor.
10	Q. In what way?	10	Q. Not from you?
11	A. I deposited the checks.	11	A. No.
12	Q. I apologize, this is which business?	12	Q. Was this a job well, let me ask you
13	A. This is his furniture company.	13	
14	Q. Where was that located, the furniture	14	this: Did you enjoy that job?  A. Yes.
15	company?	15	Q. What did you like about it?
16	A. The company was in Hialeah, Florida.	16	A. I liked well, I liked cooking and I
17	Q. When did you move to Florida?	17	· ·
18	A. 1983.	18	liked showing chefs I liked telling chefs what to do.
19	Q. After the business in Greenwich, any	19	
20	other work or business in the non-Florida area?	20	<ul><li>Q. Was this a traveling job?</li><li>A. It was an outside job.</li></ul>
21	A. No.	21	*
22	Q. You moved to Florida, correct, in 1983?	22	`
23	A. Right.	23	A. I had my own car.     Q. You would travel from restaurant to
24	Q. Between 1983 and 1990 you assisted your	24	Q. You would travel from restaurant to restaurant?
25	husband in his business venture?	25	
	nusband in his business venture;	25	A. Restaurant to restaurant, yes.
	59		61
1	B. Amendola	1	B. Amendola
2	A. Right.	2	Q. How were you paid at Budd Mayer, if you
3	Q. Besides from depositing checks, any	3	recall?
4	other role that you played in the business?	4	A. I was paid an hourly wage.
5	A. I filed his invoices. That was it.	5	Q. Did that include any overtime?
6	Q. Anything else?	6	A. I was paid hourly so I was paid for
7	A. No.	7	every hour that I worked.
8	Q. Were you involved at all with assisting	8	Q. Did that include overtime?
9	him in marketing?	9	A. It was a part-time, flex time position.
10	A. No.	10	Q. Were you paid overtime?
11	Q. Accounts receivable or payable?	11	A. I never worked 40 hours.
12	A. No.	12	Q. Were you trained in any way for this job
13	Q. In 1990 you began working for a company	13	at Budd Mayer?
14	called Budd Mayer; is that correct?	14	A. Very, very basic training.
15	A. Yes.	15	Q. What kind of training did it include?
16	Q. What kind of company was Budd Mayer?	16	A. These are the foods that we represent.
17	A. Budd Mayer was a food broker.	17	These are the fliers that we use for the foods, go
18	Q. What was your job at Budd Mayer?	18	out and do it.
19	A. I marketed foods to chefs and	19	Q. What kind of food did they have?
20	restaurants.	20	A. They had very high end products as well
21	Q. What does that mean you marketed foods	21	as prison bologna.
22	to chefs and restaurant? Could you explain that to	22	Q. That's a term of art?
23	me?	23	A. No, that is prison bologna. That's
24	A. Yes. I brought samples of foods to the	24	whatever is left on the bone or the carcass, it
25	restaurant, showed them to the chef, showed the chef	25	becomes bologna for the prisons.

	62		64
1	B. Amendola	1	B. Amendola
2	Q. I always like to learn something new.	2	A. That was what the jobs were called.
3	A. Okay. I also had baby scallops that	3	Q. I just want to get a general picture of
4	were alive in the shells that I had to wrap in	4	what it was that you did, let's take an average day,
5	diapers because they couldn't get dry.	5	while you worked for PDI.
6	Q. You worked there from November of 1990	6	A. Went to a doctor's office. I don't
7	to January of '92; is that accurate generally?	7	remember what I think I did a drink with them. I
8	A. I think so, yes.	8	did a drink, a cholesterol lowering drink with them.
9	Q. Why did you leave there?	9	Mixed up the drink, showed it to the doctor, showed
10	A. Well, I had all the food I could eat,	10	him the texture, showed him the efficacy, told him
11	but they didn't pay me enough to buy it, and then I	11	the dose, left some samples, and left, went to my
12	got a position that was going to compensate me for	12	next call.
13	what I was worth.	13	Q. Did your customers, were those just
14	Q. What job was that?	14	doctors, or were the customers also anyone else in
15	A. I went to work for PDI or Pharmaceutical	15	the physician's office?
16	Detailing Incorporated I believe it was called.	16	A. I believe it was the doctor or maybe a
17	Q. That's out of Ramsey, New Jersey?	17	physician's assistant or a nurse practitioner.
18	A. Yes.	18	Q. Did you receive any training from PDI?
19	Q. But you worked for them in Florida?	19	A. Yes.
20	A. Yes.	20	Q. What kind of training did you receive?
21	Q. What was your title?	21	A. I had to go away for training to
22	A. I don't remember.	22	learn to see the promotional materials, to get
23	Q. Were you a pharmaceutical sales	23	familiar with the message, to learn how to prepare
24	representative?	24	the product, the competitors, just basic training.
25	A. I was a flex time representative. It	25	Q. Did you learn how to analyze competitor
	63		65
1	B. Amendola	1	B. Amendola
2	was flex time. I didn't sell anything.	2	data or sales data?
3	Q. I didn't ask you what did you say	3	A. Not really.
4	your position was at PDI?	4	Q. Was that part of your training?
5	A. Flex time representative.	5	A. Part of the training for when you
6	Q. What does that mean, flex time?	6	when you do any marketing is you have to know your
7	A. It means that you have a required number	7	competition and how what you have is an improvemen
8	of calls to make and you can make them any time of	8	on the competition, features. I imagine it was part
9	the day that you want, any number of days that you	9	of the training.
10	want as long as you fulfill your quota.	10	Q. The benefits of your product was
11	Q. Was it a weekly quota?	11	something that you conveyed to these physicians?
12	A. I believe so.	12	A. Yes.
13	Q. Were you given a base salary there?	13	Q. Did these physicians order the product
14	A. No, you were paid per call.	14	through you?
I	O W 4: 4-14 have - 05001-have	15	A. No.
15	Q. You didn't have a \$500 a week base	1 - 0	
16	salary?	16	Q. Who did they order it through?
16 17	•	1	<ul><li>Q. Who did they order it through?</li><li>A. I believe it was through a distributor.</li></ul>
16 17 18	salary?	16	<ul><li>A. I believe it was through a distributor.</li><li>Q. Again, you were, as best you recall</li></ul>
16 17 18 19	salary?  A. I don't remember.  Q. Do you recall representing your position at PDI to subsequent employers as a pharmaceutical	16 17 18 19	<ul><li>A. I believe it was through a distributor.</li><li>Q. Again, you were, as best you recall</li><li>A. Actually, no, I'm mistaken. They would</li></ul>
16 17 18 19 20	salary?  A. I don't remember.  Q. Do you recall representing your position	16 17 18 19 20	A. I believe it was through a distributor. Q. Again, you were, as best you recall A. Actually, no, I'm mistaken. They would prescribe it for their patients and the patients
16 17 18 19 20 21	salary?  A. I don't remember.  Q. Do you recall representing your position at PDI to subsequent employers as a pharmaceutical sales representative?  A. It was pharmaceuticals, yes.	16 17 18 19	<ul><li>A. I believe it was through a distributor.</li><li>Q. Again, you were, as best you recall</li><li>A. Actually, no, I'm mistaken. They would</li></ul>
16 17 18 19 20	salary?  A. I don't remember. Q. Do you recall representing your position at PDI to subsequent employers as a pharmaceutical sales representative?  A. It was pharmaceuticals, yes. Q. I guess my question is more specific.	16 17 18 19 20	A. I believe it was through a distributor. Q. Again, you were, as best you recall A. Actually, no, I'm mistaken. They would prescribe it for their patients and the patients
16 17 18 19 20 21 22 23	salary?  A. I don't remember.  Q. Do you recall representing your position at PDI to subsequent employers as a pharmaceutical sales representative?  A. It was pharmaceuticals, yes.  Q. I guess my question is more specific.  Do you recall representing to subsequent employers	16 17 18 19 20 21 22 23	A. I believe it was through a distributor. Q. Again, you were, as best you recall A. Actually, no, I'm mistaken. They would prescribe it for their patients and the patients could purchase it in the pharmacy. That's how it was. Q. Thank you. The pay that you received at
16 17 18 19 20 21 22	salary?  A. I don't remember. Q. Do you recall representing your position at PDI to subsequent employers as a pharmaceutical sales representative?  A. It was pharmaceuticals, yes. Q. I guess my question is more specific.	16 17 18 19 20 21 22	A. I believe it was through a distributor. Q. Again, you were, as best you recall A. Actually, no, I'm mistaken. They would prescribe it for their patients and the patients could purchase it in the pharmacy. That's how it was.

	66	***************************************	68
1	B. Amendola	1	B. Amendola
2	weekly salary or you were paid hourly?	2	realized that I was performing a valuable service for
3	A. I wasn't paid hourly. I was paid per	3	the physician.
4	call.	4	Q. Anything else?
5	Q. In addition to that, did you receive any	5	A. I just became more confident.
6	bonuses or incentive compensation?	6	Q. And more competent; is that also fair to
7	A. I don't know if I got anything from PDI.	7	say?
8	I don't think I was there long enough.	8	A. Sure.
9	Q. You were there about six months; is that	9	Q. After working at PDI for approximately
10	right?	10	six months and ending in June or approximately June
11	A. Yes.	11	of '92, do you recall where you went to work next?
12	Q. Was there any contest or awards for	12	A. I went to work for Scios.
13	sales at PDI if you recall?	13	Q. Scios, Inc. S-C-I-O-S, Inc.?
14	A. I don't remember.	14	A. Yes.
15	Q. What was the territory or the area of	15	Q. What kind of company is Scios, Inc.?
16	responsibility that you had at PDI?	16	A. When I went to work for them it was an R
17	A. The territory was from, I believe, Boca	17	and D company.
18	Raton through West Palm Beach.	18	Q. You mean research and development?
19	Q. And the kinds of doctors you visited I	19	A. Research and development.
20	believe you said were family practitioners; is that	20	Q. In the pharmaceutical field?
21	accurate?	21	A. Yes.
22	A. I think so.	22	Q. What was your position at Scios, Inc.?
23	Q. Internists?	23	A. I was a psychiatric specialty
24	A. Yes.	24	representative.
25	Q. Cardiologists?	25	Q. Have you listed your job title at Scios
	67	TANA MANAGAMAN M	69
1	B. Amendola	1	B. Amendola
2	A. Yes.	2	for subsequent employers as pharmaceutical sales
3	Q. Gastroenterologist, correct?	3	representative?
4	A. Yes.	4	A. Probably.
5	Q. And I guess general medicine; is that	5	Q. Is that an accurate description of what
6	accurate?	6	your title was?
7	A. Yes.	7	A. It was what my job was called.
8	Q. This was your first experience calling	8	Q. I guess a more detailed title was
9	on doctors directly?	9	psychiatric specialty representative?
10	A. Yes.	10	A. Yes.
11	Q. Were you successful at PDI as you	11	Q. How long did you work at Scios?
12	believe it?	12	A. I worked for them until February 13,
13	A. I was semi-successful.	13	1998.
14	Q. When you say that, can you expand on	14	Q. So you worked there for approximately
15	what you mean by that?	15	six years?
l			
16	A. Well, I thought I was successful at the	16	A. Yes.
17	A. Well, I thought I was successful at the time, but then as I progressed in pharmaceuticals I	17	Q. In those six years you remained the
17 18	A. Well, I thought I was successful at the time, but then as I progressed in pharmaceuticals I realized what I did there was the start of being	17 18	Q. In those six years you remained the psychiatric specialty representative?
17 18 19	A. Well, I thought I was successful at the time, but then as I progressed in pharmaceuticals I realized what I did there was the start of being successful.	17 18 19	<ul><li>Q. In those six years you remained the psychiatric specialty representative?</li><li>A. Yes.</li></ul>
17 18 19 20	A. Well, I thought I was successful at the time, but then as I progressed in pharmaceuticals I realized what I did there was the start of being successful.  Q. What I guess in general terms was it	17 18 19 20	<ul><li>Q. In those six years you remained the psychiatric specialty representative?</li><li>A. Yes.</li><li>Q. What was your territory?</li></ul>
17 18 19 20 21	A. Well, I thought I was successful at the time, but then as I progressed in pharmaceuticals I realized what I did there was the start of being successful.  Q. What I guess in general terms was it that you've learned since your experience in the	17 18 19 20 21	<ul> <li>Q. In those six years you remained the psychiatric specialty representative?</li> <li>A. Yes.</li> <li>Q. What was your territory?</li> <li>A. I went from North Miami Beach through</li> </ul>
17 18 19 20 21 22	A. Well, I thought I was successful at the time, but then as I progressed in pharmaceuticals I realized what I did there was the start of being successful.  Q. What I guess in general terms was it that you've learned since your experience in the pharmaceutical industry that you weren't doing at PD	17 18 19 20 21 [22	<ul> <li>Q. In those six years you remained the psychiatric specialty representative?</li> <li>A. Yes.</li> <li>Q. What was your territory?</li> <li>A. I went from North Miami Beach through Tequesta, Florida.</li> </ul>
17 18 19 20 21 22 23	A. Well, I thought I was successful at the time, but then as I progressed in pharmaceuticals I realized what I did there was the start of being successful.  Q. What I guess in general terms was it that you've learned since your experience in the pharmaceutical industry that you weren't doing at PD that would have made you more successful?	17 18 19 20 21 [22 23	<ul> <li>Q. In those six years you remained the psychiatric specialty representative?</li> <li>A. Yes.</li> <li>Q. What was your territory?</li> <li>A. I went from North Miami Beach through Tequesta, Florida.</li> <li>Q. What was generally your job</li> </ul>
17 18 19 20 21 22	A. Well, I thought I was successful at the time, but then as I progressed in pharmaceuticals I realized what I did there was the start of being successful.  Q. What I guess in general terms was it that you've learned since your experience in the pharmaceutical industry that you weren't doing at PD	17 18 19 20 21 [22	<ul> <li>Q. In those six years you remained the psychiatric specialty representative?</li> <li>A. Yes.</li> <li>Q. What was your territory?</li> <li>A. I went from North Miami Beach through Tequesta, Florida.</li> </ul>

3 injectable for schizophrenics, antidepressants, and a 3 guess my question to you	ngs the Scios way, I
2 A. I marketed antipsychotics, a 28-day 2 Q. In doing the thir 3 injectable for schizophrenics, antidepressants, and a 3 guess my question to you	ngs the Scios way, I
3 injectable for schizophrenics, antidepressants, and a 3 guess my question to you	· ·
r 🖚 grue for didotal filicas 3 4 diaving, what kind of for	e playing did you do?
	the doctor, one person
6 pharmaceuticals, can you tell me what you mean by 6 was the rep.	, me doctor, one person
	d trying to persuade the
8 A. I visited psychiatrists, neurologists, 8 doctor to prescribe the Sc	
9 mental health clinics, jails, and I tried to convince 9 fair?	neareation, is that
10 the physician or the mental health worker that these 10 A. Right.	
1	rs a week did you work for
12 Q. How did you go about doing that? 12 Scios?	is a week and you work to.
	x time position. I was
14 I relayed the core message. I told them the patient 14 paid \$25 per office call.	
	00. Some weeks I would earn a
	o do less than 40 calls per
17 Q. When you talk about training, could you 17 week, 40 or less.	o do less man to cans per
	paid overtime at Scios?
19 at Scios? 19 A. No.	said evertime at seles.
	iles bonuses at Scios,
21 and then I went to a training class, and at the 21 right?	mes contases at Seros,
22 training class we did role play, and we went over the 22 A. Yes.	
promotional materials, and the competition, and we 23 Q. One time it was	\$5,000?
	Form objection. You can
25 right drugs. 25 answer.	1 om objection. 1 od car
71	73
1 B. Amendola 1 B. Amendo	
	nus I guess you can
3 MR. MAAZEL: Form objection. 3 call them bonuses.	ilus i guess you can
4 Q. Would you call it sales training? 4 Q. What would yo	ov cell them?
	uses at the time, but they
6 answer. 6 were different than the boundary	
	Bristol-Myers. So I guess it
	ou know, a reward, a reward.
9 that I trained myself. 9 Q. What was it a re	1
	for moving market share
11 training you received after six months.  11 of a product.	Tot moving market share
12 A. The training was how to do things the 12 Q. What does that	mean?
	hospital may have only
	n number of vials of Haldol
	previous year and now this
	ng more of it. They were
ten o'clock. This ends tape number one. We're now 17 using more of that produ	-
18 going off the record.  18 Q. Within your ter	-
19 (Whereupon, a recess was taken.) 19 A. Yes.	
	hat increase prescribing
	ation, you were rewarded with
22 the record. 22 a bonus or some sort of i	-
23 MR. BROWN: Could I have the last 23 right?	oomire comp, is that
24 question and answer. 24 A. Yes.	
•	s, again, was that out of

	74	- Address of the second	76
1	B. Amendola	1	B. Amendola
2	the house or out of the office?	2	Q. Cardiologists?
3	A. Yes, it was outside.	3	A. Yes.
4	Q. Outside sales?	4	Q. I'm sorry, what territory was MMD? What
5	A. Outside marketing.	5	was your territory for MMD?
6	Q. Outside marketing, okay. You had your	6	A. I think it was Broward County. It was
7	own car?	7	Broward and Palm Beach County.
8	A. Yes.	8	Q. In Florida?
9	Q. You traveled from doctor's office to	9	A. Yes.
10	doctor's office, correct?	10	Q. The job for MMD was an outside marketing
11	A. And prison to prison.	11	sales job; is that right?
12	Q. And prison so prison?	12	A. It was marketing.
13	A. Yes.	13	Q. Outside?
14	Q. Was anybody with you?	14	A. Outside.
15	A. I had a manager who would periodically	15	Q. Outside marketing job?
16	come down.	16	A. Yes.
17	Q. But on a day-to-day basis were you	17	Q. You were on your own for the most part
18	alone?	18	for MMD?
19	A. Yes.	19	A. Unless I rode with the manager.
20	Q. Where did you work after Scios?	20	Q. The next job after Scios/MMD was
21	A. I took a job with Bristol-Myers Squibb.	21	Bristol-Myers Squibb, right?
22	Q. Is there a company called MMD that you	22	A. Yes.
23	worked for?	23	Q. Are you working now?
24	A. When I was working for Scios, because it	24	A. Yes.
25	was a flex time position, I could do my 40 calls as	25	Q. Where are you working?
***************************************	75		77
1	B. Amendola	1	B. Amendola
2	quickly and when I could, and I had become a widow.	2	A. I work for Ambient Health Care.
3	There was a job with MMD promoting maybe that	3	Q. What do you do for Ambient Health Care?
4	was it was promoting Triaminic cough medicine and	4	A. I market infusion pharmacy services for
5	that was approximately 12 calls a week.	5	patients who leave the hospital with either a feeding
6	I explained to my manager at Scios that	6	tube or an IV.
7	I needed additional money, and I explained to MMD	7	Q. Is this an outside marketing job?
8	that Scios was my bread and butter, and MMD hired me	8	A. Yes.
9	to do that as well.	9	Q. Can you describe generally what your
10	Q. Did you call on doctors for MMD?	10	duties are for Ambient Health Care?
11	A. Yes, I think it was dermatologists.	11	A. I call on referral nurses, case
12	There's no conflict between psychiatry and	12	managers, social workers, and I explain to them what
13	dermatology.	13	service we perform, what insurance we are in network
14	Q. In addition to calling on	14	providers for, and what territories what areas of
15	dermatologists, you called on pediatricians	15	the state we can service their patients.
16	A. Pediatricians.	16	Q. What's your title?
17	Q correct?	17	A. Pharmacy account manager.
18	A. Yes.	18	Q. Any other title?
19	Q. You have to let me finish. You called	19	A. No.
20	on internal medicine doctors as well?	20	Q. Any titles that the company uses that's
21	A. Yes.	21	different from pharmacy account manager?
22	Q. Family practitioners?	22	A. Pharmacy account manager.
23	A. Yes.	23	Q. Is this an outside marketing job?
24	Q. Gastroenterologists?	24	A. Yes.
25	A. Yes.	25	Q. I might have asked you that. I

1 B. Amendola 2 apologize. Is there a minimum expectation of calls 3 to make each week? 4 A. Yes. 5 Q. What is it? 6 A. Thirty. 7 Q. How are you paid? 1 B. Amendola 2 A. On the average it' 3 Q. I guess I'm confus 4 days that you work longer 5 that you don't, and on average it' 6 that what you're saying? 7 A. Yes.	sed by that. There are than nine to five and days age it's nine to five; is the Ambient Health Care in the state of the st
2 apologize. Is there a minimum expectation of calls 3 to make each week? 4 A. Yes. 5 Q. What is it? 6 A. Thirty. 2 A. On the average it' 3 Q. I guess I'm confust 4 days that you work longer 5 that you don't, and on average it' 6 that what you're saying?	sed by that. There are than nine to five and days age it's nine to five; is the Ambient Health Care in the state of the st
3 to make each week? 4 A. Yes. 5 Q. I guess I'm confus 4 days that you work longer 5 Q. What is it? 6 A. Thirty. 6 that what you're saying?	sed by that. There are than nine to five and days age it's nine to five; is the Ambient Health Care in the state of the st
4 A. Yes. 4 days that you work longer 5 Q. What is it? 5 that you don't, and on aver 6 A. Thirty. 6 that what you're saying?	than nine to five and days age it's nine to five; is t Ambient Health Care in the ber 15, 2007, did you have
5 Q. What is it? 5 that you don't, and on average A. Thirty. 6 that what you're saying?	age it's nine to five; is t Ambient Health Care in ber 15, 2007, did you have
6 A. Thirty. 6 that what you're saying?	t Ambient Health Care in ber 15, 2007, did you have
	ber 15, 2007, did you have
	ber 15, 2007, did you have
	ber 15, 2007, did you have
	· 1
10 A. My base salary is \$65,000.	
Q. Any other form of compensation? 11 A. I worked for Barr	· · · · · ·
A. Yes, if I meet my monthly goal it's an 12 Q. What was your tit	•
13 additional \$1,500, if I exceed the goal it's \$2,500, 13 A. Specialty derma	
14 and if I exceed the goal over that it's \$0.05 on 14 representative.	3, -1,,
15 every dollar of revenue that the case brings into the 15 Q. Was it called spec	cialty sales
16 pharmacy. 16 representative?	
Q. When you say "goal," is that the goal of 17 A. Perhaps.	
18 making calls, or is that sales call? 18 Q. You don't know?	
	s that's the general
20 Q. How is that measured? 20 title.	3
21 A. Well, different services bring in 21 Q. What is?	
22 different revenue for the company. For example, if a 22 A. Whatever you do	for them it's sales
patient needs IV IG it could bring in \$6,000 a month, 23 representative, but you don	1
24 so it's based on that. 24 a pharmaceutical represent	1
25 Q. Do you have your own car? 25 representatives call each ot	1
79	81
1 B. Amendola 1 B. Amendola	
· · · · · · · · · · · · · · · · · · ·	called yourself while
3 Q. You travel to these customers 3 you worked there?	
4 A. Yes. 4 A. I suppose.	
5 Q on your own? 5 Q. Well, did you or	didn't you?
6 A. Yes. 6 MR. MAAZEL: H	-
	. I called myself a
8 Ambient Health Care? 8 pharmaceutical rep. That's	
9 A. Since October 15, 2007. 9 Q. When you worke	
10 Q. Do you get overtime? 10 Therapeutics, is it?	
11 A. There is no overtime. 11 A. Yes.	
Q. Do you work more than 40 hours a week? 12 Q. What was your jo	ob?
13 A. No. 13 A. I marketed an oir	
Q. Do you keep track of your time? 14 dermatitis, and I also mark	- 1
15 A. I send in a time sheet every week. 15 lentigines, and I also mark	
Q. So you do keep track of your time? 16 seborrheic dermatitis.	F
	ide marketing job?
18 Q. Do you work nine to five? 18 A. Yes.	03
19 A. Yes. 19 Q. Who were your c	customers?
20 Q. Do you work longer than nine to five? 20 A. Dermatologists a	
21 A. No. 21 Q. Any other kinds of	- 1
Q. Do you work less than nine to five? 22 A. I don't think so.	
23 A. No. 23 Q. What was your te	erritory?
	h Miami through Central
25 MR. MAAZEL: Form objection. 25 Broward.	

		82		84
1		B. Amendola	1	B. Amendola
2	Q.	In Florida?	2	Q. Did you ever work longer than nine to
3	Ä.	Yes.	3	five?
4	Q.	Did you have your own car?	4	MR. MAAZEL: Form objection.
5	A.	No.	5	A. No.
6	Q.	A company car?	6	Q. Did you ever work less than nine to
7	A.	Yes.	7	five?
8	Q.	You traveled from doctor's office to	8	A. No.
9	doctor's	office?	9	Q. You worked exactly nine to five?
10	A.	Yes.	10	MR. MAAZEL: Form objection.
11	Q.	You were alone?	11	A. I was out of the house from eight to
12	A.	Yes.	12	five because of travel time.
13	Q.	When you say you marketed these products	13	Q. That time was all work time?
14	for Barr	ier, what do you mean by that?	14	A. Predominantly. I would have lunch.
15	A.	Well, I brought samples of what we	15	Q. What was the bonus plan at Barrier?
16		red butt paste to the pediatrician's office	16	A. The bonus plan was not implemented. It
17	and sho	wed the pediatrician what it was made of,	17	was for the most part it was a new company, new
18	opened	the tube and demonstrated the texture and	18	products. They had award points. So you would get
19	hoped tl	nat he would prescribe it for his patients.	19	award points for everything.
20		The same thing with Zolagel, which was	20	Q. What were the award points based on?
21		lentigines, that was marketed to	21	A. Number of calls that you did, if you got
22		logists. There were no samples. It was just	22	an additional script from the doctor.
23		him features and benefits, use a detail piece	23	Q. From the doctor in your territory?
24		inical study and hoped that he would	24	A. Yes, success story.
25	prescrib	e it for his patients.	25	Q. Script means prescription?
		83		85
1		B. Amendola	1	B. Amendola
2	Q.	Did you receive any training at Barrier?	2	A. Yes.
3	A.	Yes.	3	Q. Thank you. You were employed by BMS as
4	Q.	What kind of training?	4	a pharmaceutical representative from February 1st,
5	A.	Two weeks in Princeton.	5	1998 to March 2nd, 2006; is that accurate?
6	Q.	What kind of training?	6	A. February 13, 2006 19
7	A.	What the promotional materials were,	7	Q. Let's start again. Let me show you
8	what the	core message was, how to approach the	8	I'm going to show you what we're going to mark as
9	physicia	in, role playing, competitors dosing, lack of	9	Amendola 6, an employment offer letter dated
10	manage	d care support for all of these products, basic	10	January 27, 1998.
11	training		11	(Whereupon, a January 27, 1998
12	Q.	How were you compensated at Barrier?	12	employment offer letter was received and marked
13	A.	Barrier I was paid I think \$68,000 base	13	Amendola Exhibit 6, for identification, as of this
14	plus a b	onus plan.	14	date.)
15	Q.	The \$68,000 base, that was paid to you	15	Q. Ms. Amendola, looking at what's been
16		ekly salary?	16	marked as Amendola 6; do you recognize this document?
17	A.	Bimonthly.	17	A. Yes.
18	Q.	Bimonthly?	18	Q. Is this your employment offer letter
19	A.	Yes.	19	from Bristol-Myers Squibb?
20	Q.	How many hours a day did you work?	20	A. Yes.
21	Α.	Probably nine to five. It was a nine to	21	Q. On the second page, is that your
22	five job.	, i	22	signature?
23	Q.	Did you ever work longer than nine to	23	A. Yes.
24	five?	No, I never did dinner programs.	24	Q. It's dated February 1st, 1998, your signature?
25	A.		25	

18 A. June Crockett. 19 Q. What was June's position at 20 Bristol-Myers Squibb? 21 A. She was my manager. 22 Q. Is that district business manager? 23 A. Yes. 24 Q. Where was she located? 25 A. She lived in Palm Beach County. 26 A. She lived in Palm Beach County. 27 B. Amendola 28 Q. Did she work out of her home? 3 A. Yes. 4 Q. What was your understanding of the type of work that you would be doing at Bristol-Myers 4 Q. What was your understanding of the type of work that you would be doing at Bristol-Myers 5 Squibb as an associate territory business manager? 7 A. I would be doing what I did for Scios with a different portfolio of products. 9 Q. Could you explain to me what it was you were going to be doing at Bristol-Myers Squibb? 11 A. I would be calling on psychiatrists, internal medicine, family practice promoting Cefzil, Serzone and Buspar. 12 Q. Did you garn more money as a TBM rather an ATBM? 13 A. Yes. 14 Q. Did you carn more money as a TBM rather than as an ATBM? 15 Q. Where is that? 16 A. Right, and my territory was located where I lived. 17 press. 18 A. I had lived in Coral Springs at the time, so I would be working within my territory. 28 Q. Was this called the Hollywood territory? 29 Q. Did you receive more money as a TBM? 20 Q. Was this called the Hollywood territory? 21 A. I had lived in Coral Springs at the time, so I would be working within my territory. 29 Q. Did you receive more money as a TBM? 20 Q. Did you receive more money as a TBM? 21 A. I had lived in Coral Springs at the time, so I would be working within my territory. 21 Q. Did you receive more money as a TBM? 22 Did you receive more money as a TBM? 23 Did you receive more money as a TBM? 24 A. No. 25 A. I believe so. 26 D. Did you receive more money as a TBM rather than an ATBM?		86		88
2 A. Yes. 3 Q. Is it accurate that you were hired in 4 January of 1998 to work for Bristol-Myers Squibb? 5 A. I was offered the position in 6 January 1998. I accepted it on 2/1. 7 Q. Your job was as an associate territory 8 business manuger; is that correct? 8 A. Yes. 10 Q. You were paid an annual salary of 11 S44,000 to start? 12 A. Yes. 13 Q. You participated in an incentive bonus 14 program; is that correct? 15 A. Yes. 16 Q. Who made the offer to you at 17 Bristol-Myers Squibb? 18 A. June Crockett. 19 Q. What was June's position at 19 Q. What was June's position at 19 Q. What was June's position at 20 Bristol-Myers Squibb? 21 A. She lived in Palm Beach County. 22 Q. Is that district business manager? 23 A. Yes. 24 Q. Where was she located? 25 A. She lived in Palm Beach County. 25 A. She lived in Palm Beach County. 26 Squibb as an associate territory business manager? 27 A. I would be doing at Bristol-Myers Squibb? 28 A. Yes. 29 Q. Could you explain to me what it was you were going to be doing at Bristol-Myers Squibb? 29 Q. Could you explain to me what it was you were going to be doing at Bristol-Myers Squibb? 20 Q. Could you explain to me what it was you were going to be doing at Bristol-Myers Squibb? 20 A. There could be. 30 A. Yes. 31 B. Amendola 42 Q. Did she work out of her home? 32 A. Yes. 33 Q. Do you know when that occurred? 44 A. No. 45 Q. Is it your understanding that there's a 46 Q. Under was an additing on specialarists, an internal medicine, family practice promoting Cefzil, and an ATBM, and a territory business manager. 45 A. There could be. I mean my understanding that there's a not provided be an associate territory business manager. 46 A. Yes. 47 A. It is a different title. That's the only difference. 48 A. Wes. 49 Q. In the associate territory business manager. 40 A. She lived in Palm Beach County. 40 A. No. 41 Ball Yes and associate territory business manager. 41 A. There could be. I mean my understanding that there's a provide the followed the followed territory? 42 A. Right, and my territ	1	B. Amendola	1	B. Amendola
Q. Is it accurate that you were hired in 4 January of 1998 to work for Bristol-Myers Squibb? 5 A. I was offered the position in 6 January 1998. I accepted it on 2/1. 7 Q. Your job was as an associate territory 8 business manager; is that correct? 8 A. Yes. 9 A. Yes. 10 Q. You were paid an annual salary of 11 \$44,000 to start? 12 A. Yes. 13 Q. You participated in an incentive bonus 14 program; is that correct? 15 A. Yes. 16 Q. Who made the offer to you at 17 Bristol-Myers Squibb? 18 A. June Crockett. 19 Q. What was June's position at 19 Bristol-Myers Squibb? 20 Bristol-Myers Squibb? 21 A. She was my manager. 22 Q. Is that district business manager? 23 A. Yes. 24 Q. Where was she located? 25 A. Yes. 26 Q. What was your understanding of the type 27 A. I would be doing at Bristol-Myers 28 Q. What was your understanding of the type 29 of work that you would be doing at Bristol-Myers 29 Q. Could you explain to me what it was you were going to be doing at Bristol-Myers Squibb? 20 Q. Could you explain to me what it was you were going to be doing at Bristol-Myers Squibb? 20 Q. Loud you explain to me what it was you were going to be doing at Bristol-Myers Squibb? 20 Q. Loud you explain to me what it was you were going to be doing at Bristol-Myers Squibb? 21 A. I would be calling on psychiatrisss, internal medicine, family practice promoting Cefzil, 15 Q. At that time? 21 Q. In was an associate territory business manager? 22 Q. In was an associate territory business manager? 23 A. Yes. 24 Q. What was your understanding of the type 25 of work that you would be doing at Bristol-Myers Squibb? 26 A. Yes. 27 Q. Loud you explain to me what it was you were going to be doing at Bristol-Myers Squibb? 28 A. There could be. I mean my understanding that there's a proposition of products. 29 Q. Doy ou know? 20 Q. Where is that? 20 Q. Where is that? 21 Q. Did you earm more money as a TBM rather an an ATBM? 22 Q. Where is that? 23 Q. Doy ou cear more money as a TBM rather an an ATBM? 24 A. Shaliferan an ATBM? 25 A. Shaliferan an ATBM? 2	1		1	
4 January of 1998 to work for Bristol-Myers Squibb? 5 A. I was offered the position in 6 January 1998. I accepted it on 271. 7 Q. Your job was as an associate territory 8 business manager; is that correct? 9 A. Yes. 10 Q. You were paid an annual salary of 11 \$44,000 to starr? 12 A. Yes. 13 Q. You were paid an annual salary of 14 A. Yes. 15 A. Yes. 16 Q. Wou were paid an annual salary of 17 Bristol-Myers Squibb? 18 A. Jes. 19 Q. You add not receive overtime, correct? 19 Q. Who made the offer to you at 19 Q. Who made the offer to you at 19 Pristol-Myers Squibb? 10 Q. Who made the offer to you at 11 A. Yes. 12 Q. If was an outside marketing job? 13 A. Yes. 14 Q. You did not receive overtime, correct? 15 A. Right. 16 Q. Who made the offer to you at 17 Bristol-Myers Squibb? 19 Q. What was June's position at 20 Bristol-Myers Squibb? 21 A. She was my manager. 22 Q. Is that district business manager? 23 A. Yes. 24 Q. Where was she located? 25 A. She lived in Palm Beach County. 26 Squibb as an associate territory business manager? 27 A. I would be doing at Bristol-Myers Squibb? 28 Q. Could you explain to me what it was you were gaid on a salary basis; is that 29 Who were gaid on a salary basis; is that 29 Q. Who made the offer to you at 29 Did you dever receive a promotion out of the associate TEBM position? When I say TBM, I me territory business manager. 29 Q. Where was she located? 20 Q. Where was she located? 21 A. She was my manager. 22 Q. Is that district business manager? 23 A. Yes. 24 Q. What was your understanding of the type of work that you would be doing at Bristol-Myers Squibb? 25 A. I would be doing what I did for Scios with a different portfolio of products. 26 Q. Under was your and extraction of products. 27 Q. I was this called the Hollywood territory? 28 A. I she are type of your know were gaid on a salary basis; is that an ATBM was an ewa hire, an entry level reperence in pay? 29 Q. Where is that? 29 Q. Where is that? 29 Q. Where is that? 20 Q. Where is that? 21 A. I may career with Bristol-Myers Squi	1	O. Is it accurate that you were hired in	ì	
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6 January 1998. I accepted it on 2/1. 7 Q. Your job was as an associate territory 8 business manager; is that correct? 9 A. Yes. 9 A. Yes. 10 Q. You were paid an annual salary of 11 S44,000 to start? 12 A. Yes. 13 Q. You participated in an incentive bonus 14 program; is that correct? 15 A. Yes. 16 Q. Who made the offer to you at 17 Bristol-Myers Squibb? 18 A. June Crockett. 19 Q. What was June's position at 19 Q. What was June's position at 20 Bristol-Myers Squibb? 21 A. She was my manager. 22 Q. Is that district business manager? 23 A. Yes. 24 Q. Where was she located? 25 A. She lived in Palm Beach County. 26 G. Whot was your understanding of the type 5 of work that you would be doing at Bristol-Myers Squibb? 10 Were going to be doing at Bristol-Myers Squibb? 11 A. I would be calling on psychiatrists, 12 neurologists, primary care physicians, pediatricians, 13 internal medicine, family practice promoting Cefzil, 14 Serzene and Buspar. 15 Q. At that time? 16 A. Yes. 17 Q. I was the type of job you had applied 17 for? 18 A. Yes. 19 Q. You were paid on a salary basis; is that 20 Q. It was an outside marketing job? 21 A. Yes. 22 Q. Is that district business manager? 23 A. Yes. 24 Q. What was June's position at 25 Bristol-Myers Squibb? 26 A. She lived in Palm Beach County. 27 De Jid you get promoted to TBM? 28 Deause titles changed. 29 De you know when that occurred? 20 Lis there a different priory business manager. 21 B. Amendola 22 G. Is that district business manager. 23 A. Yes. 4 Q. What was your understanding of the type 4 Of work that you would be doing at Bristol-Myers Squibb? 3 A. Yes. 4 Q. Would not receive overtime, correct? 4 A. No. 4 Did you get promoted to TBM? 4 Did you get promoted to TBM? 5 Q. Lis there a different title. That's the only difference between an associate territory business manager. 5 Q. Do you know? 5 A. There could be. I mean my understanding of the type of your doing the type of your plain to me what it was you were going to be doing at Bristol-Myers Squibb? 5 Q. Do you know? 6 A. T	5		5	· · · · ·
7   For?	6	• • • • • • • • • • • • • • • • • • •	6	Q. It was the type of job you had applied
8 business manager; is that correct? 9 A. Yes. 10 Q. You were paid an annual salary of 11 \$44,000 to start? 12 A. Yes. 13 Q. You participated in an incentive bonus 14 program; is that correct? 15 A. Yes. 16 Q. Who made the offer to you at 17 Bristol-Myers Squibb? 18 A. June Crockett. 19 Q. What was June's position at 20 Bristol-Myers Squibb? 21 A. She was my manager. 22 Q. Is that district business manager? 23 A. Yes. 24 Q. What was plous an associate territory business manager? 25 A. She lived in Palm Beach County. 26 Gwork that you would be doing at Bristol-Myers 27 A. I would be doing at Bristol-Myers Squibb? 28 A. Yes. 29 Q. Could you explain to me what it was you were going to be doing at Bristol-Myers Squibb? 30 A. Yes. 40 Q. What was your understanding of the type 41 B. Amendola 42 Q. Did she work out of her home? 43 A. Yes. 44 Q. What was your understanding of the type 45 Squibb as an associate territory business manager? 46 A. Yes. 47 Q. Could you explain to me what it was you were going to be doing at Bristol-Myers Squibb? 48 A. I would be calling on psychiatrists, neurologists, primary care physicians, pediatricians, internal medicine, family practice promotting Cefzil, 13 A. Yes. 48 A. Yes. 49 Q. At that time? 40 A. Yes. 40 What was your understanding of the type of work that you would be doing at Bristol-Myers Squibb? 51 A. I would be calling on psychiatrists, neurologists, primary care physicians, pediatricians, internal medicine, family practice promotting Cefzil, 13 A. Yes. 51 A. Right. 52 Q. At that time? 53 A. Yes. 54 Q. What was June's position at 12 B. Amendola 13 B. Amendola 14 B. Amendola 15 B. Amendola 15 B. Amendola 16 Green and Buspar. 55 Q. Could you explain to me what it was you were going to be doing at Bristol-Myers Squibb? 56 A. I would be calling on psychiatrists, neurologists, primary care physicians, pediatricians, internal medicine, family practice promoting Cefzil, 13 A. If a differente on pay? 56 A. There could be. 57 Q. In yes, correct? 58 A. Right, A. Yes. 59 Q. Do you know	7		7	
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11 S44,000 to start? 12 A. Yes. 13 Q. You participated in an incentive bonus 14 program; is that correct? 15 A. Yes. 16 Q. Who made the offer to you at 17 Bristol-Myers Squibb? 18 A. June Crockett. 19 Q. What was June's position at 20 Bristol-Myers Squibb P. 21 A. She was my manager. 22 Q. Is that district business manager? 23 A. Yes. 24 Q. Where was she located? 25 A. She lived in Palm Beach County. 26 G. Q. Did she work out of her home? 3 A. Yes. 4 Q. What was your understanding of the type of work that you would be doing at Bristol-Myers Gayuibb as an associate territory business manager? 4 Q. What was your understanding of the type of work that you would be doing at Bristol-Myers Gayuibb as an associate territory business manager? 4 A. I would be doing what I did for Scios with a different portfolio of products. 9 Q. Could you explain to me what it was you were going to be doing at Bristol-Myers Squibb? 11 A. I would be calling on psychiatrists, internal medicine, family practice promoting Ccfzil, Screene and Buspar. 15 Q. At that time? 16 A. Yes. 17 Q. In '98, correct? 18 A. Right, And my territory was located the Hollywood territory? 21 A. Salaries were never discussed between reps. 22 Q. Did you earn more money as a TBM rather an ATBM? 23 A. Yes. 4 Q. Where is that? 4 D. Did you receive more money as a TBM rather an ATBM? 4 No. 4 D. Salaries were never discussed between reps. 5 O. Did you earn more money as a TBM my rather than an ATBM? 5 O. Did you receive more money as a TBM my rather than an ATBM? 5 O. Did you receive more money as a TBM my rather than an ATBM? 5 O. Did you receive more money as a TBM my rather than an ATBM? 5 O. Did you receive more money as a TBM my rather than an ATBM? 5 O. Did you receive more money as a TBM my rather than an ATBM? 5 O. Did you receive more money as a TBM rather than an ATBM? 5 O. Did you receive more money as a TBM rather than an ATBM?	9	A. Yes.	9	Q. You were paid on a salary basis; is that
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14 Program; is that correct? 15 A. Yes. 16 Q. Who made the offer to you at 17 Bristol-Myers Squibb? 18 A. June Crockett. 19 Q. What was June's position at 20 Bristol-Myers Squibb? 21 A. She was my manager. 22 Q. Is that district business manager? 23 A. Yes. 24 Q. Where was she located? 25 A. She lived in Palm Beach County. 26 G. Did she work out of her home? 3 A. Yes. 4 Q. What was your understanding of the type of work that you would be doing at Bristol-Myers Squibb as an associate territory business manager? 25 A. I would be doing what I did for Scios with a different portfolio of products. 26 Q. Could you explain to me what it was you were going to be doing at Bristol-Myers Squibb? 27 A. I would be calling on psychiatrists, internal medicine, family practice promotting Cefzil, Serzone and Buspar. 28 A. Right. A. Right. And was June's position at 15 A. Right. And it receive overtime, correct? 29 A. June Crockett. 29 D. Did you ever receive a promotion out of the associate TBM position? When I say TBM, I me territory business manager. 20 Did you get promoted to TBM? 21 A. No. 22 A. T believe so. 23 D. Do you know when that occurred? 24 A. No. 25 D. Is it your understanding that there's a 26 J. B. Amendola 27 B. Amendola 28 B. Amendola 29 B. Amendola 21 B. Amendola 21 B. Amendola 22 G. Is it your understanding that there's a 28 J. B. Amendola 29 G. Do you know? 20 Were going to be doing at Bristol-Myers Squibb? 21 A. I would be calling on psychiatrists, internal medicine, family practice promoting Cefzil, Serzone and Buspar. 21 C. Did you exer meceive a promotion out of the associate TBM position? When I say TBM, I me territory business manager. 22 D. Do you know when that occurred? 23 A. Test. 24 A. No. 25 D. Is it your understanding that there's a 26 difference between an associate territory business manager? 27 A. I would be doing at Bristol-Myers Squibb? 28 A. There could be. 29 Could you exerie over time, correct? 29 D. Do you know? 20 D. Do you know? 20 D. Do you know? 21 Were going to be doing at Bristol	12	A. Yes.	12	Q. It was an outside marketing job?
15 A. Yes.  Q. What was June's position at 20 Bristol-Myers Squibb? 21 A. She was my manager. 22 Q. Is that district business manager? 23 A. Yes. 24 Q. Where was she located? 25 A. She lived in Palm Beach County.  26 What was your understanding of the type of work that you would be doing at Bristol-Myers Squibb? 3 A. Yes. 4 Q. What was your understanding of the type of work that you would be doing at Bristol-Myers Squibb? 4 Q. Could you explain to me what it was you were going to be doing at Bristol-Myers Squibb? 4 A. I would be calling on psychiatrists, 2 neurologists, primary care physicians, pediatricians, 3 internal medicine, family practice promoting Cefzil, 4 Serzone and Buspar.  15 A. Right. Q. Did you ever receive a promotion out of the associate TBM position? When I say TBM, I me territory business manager. A. That's difficult for me to answer because titles changed. A. That's difficult for me to answer because titles changed. A. That's difficult for me to answer because titles changed. A. That's difficult for me to answer because titles changed. A. That's difficult for me to answer because titles changed. A. That's difficult for me to answer because titles changed. A. That's difficult for me to answer because titles changed. A. That's difficult for me to answer because titles changed. A. That's difficult for me to answer because titles changed. A. That's difficult for me to answer because titles changed. A. That's difficult for me to answer because titles changed. A. That's difficult for me to answer because titles changed. A. That's difficult for me to answer because titles changed. A. That's difficult for me to answer because titles changed. A. That's difficult for me to answer because titles changed. A. That's difficult for me to answer because titles changed. A. That's difficult for me to answer because titles changed. A. That's difficult for me to answer because titles changed. A. That's difficult for me to answer because titles changed. A. It's a different title. That's the only difference on pa	13	Q. You participated in an incentive bonus	13	A. Yes.
16 Q. Who made the offer to you at 17 Bristol-Myers Squibb? 18 A. June Crockett. 19 Q. What was June's position at 19 Bristol-Myers Squibb? 20 Bristol-Myers Squibb? 21 A. She was my manager. 22 Q. Is that district business manager? 23 A. Yes. 24 Q. Where was she located? 25 A. She lived in Palm Beach County.  87  1 B. Amendola 2 Q. Did she work out of her home? 3 A. Yes. 4 Q. What was your understanding of the type 5 of work that you would be doing at Bristol-Myers 6 Squibb as an associate territory business manager? 7 A. I would be doing at Bristol-Myers 8 with a different portfolio of products. 9 Q. Could you explain to me what it was you were going to be doing at Bristol-Myers Squibb? 11 A. I would be calling on psychiatrists, niternal medicine, family practice promoting Cefzil, Serzone and Buspar. 12 Q. In '98, correct? 13 A. Right, and my territory was located where I lived. 20 Q. Where is that? 21 A. I had lived in Coral Springs at the 22 time, so I would be working within my territory. 23 Q. Was this called the Hollywood territory? 24 the associate TBM position? When I say TBM, I meteritory business manager. 25 the the associate TBM position? When I say TBM, I meteritory business manager. 26 A. That's difficult for me to answer 27 because titles changed. 28 A. I believe so. 29 Q. Do you know when that occurred? 24 A. No. 25 Is it your understanding that there's a 26 B. Amendola 27 B. Amendola 28 B. Amendola 19 B. Amendola 10 B. Amendola 11 B. Amendola 12 B. Amendola 12 B. Amendola 13 B. Amendola 14 B. Amendola 15 B. Amendola 16 G. Do you know when that occurred? 17 C. Is 'is difference between an associate territory business manager? 18 A. It's a different title. That's the only difference. 19 Q. Do you know. 20 A. It's a difference in pay? 31 A. It's a difference in pay? 4 TBM? 5 A. It's a difference in pay? 4 A. It's a difference in pay? 4 TBM? 5 A. It's a difference in pay? 4 A.	14	program; is that correct?	14	Q. You did not receive overtime, correct?
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18 A. June Crockett. 19 Q. What was June's position at 20 Bristol-Myers Squibb? 21 A. She was my manager. 22 Q. Is that district business manager? 23 A. Yes. 24 Q. Where was she located? 25 A. She lived in Palm Beach County. 26 A. She lived in Palm Beach County. 27 B. Amendola 28 Q. Did she work out of her home? 3 A. Yes. 4 Q. What was your understanding of the type of work that you would be doing at Bristol-Myers 4 Q. What was your understanding of the type of work that you would be doing at Bristol-Myers 5 Squibb as an associate territory business manager? 7 A. I would be doing what I did for Scios with a different portfolio of products. 9 Q. Could you explain to me what it was you were going to be doing at Bristol-Myers Squibb? 11 A. I would be calling on psychiatrists, internal medicine, family practice promoting Cefzil, Serzone and Buspar. 12 Q. Did you garn more money as a TBM rather an ATBM? 13 A. Yes. 14 Q. Did you carn more money as a TBM rather than as an ATBM? 15 Q. Where is that? 16 A. Right, and my territory was located where I lived. 17 press. 18 A. I had lived in Coral Springs at the time, so I would be working within my territory. 28 Q. Was this called the Hollywood territory? 29 Q. Did you receive more money as a TBM? 20 Q. Was this called the Hollywood territory? 21 A. I had lived in Coral Springs at the time, so I would be working within my territory. 29 Q. Did you receive more money as a TBM? 20 Q. Did you receive more money as a TBM? 21 A. I had lived in Coral Springs at the time, so I would be working within my territory. 21 Q. Did you receive more money as a TBM? 22 Did you receive more money as a TBM? 23 Did you receive more money as a TBM? 24 A. No. 25 A. I believe so. 26 D. Did you receive more money as a TBM rather than an ATBM?	16	Q. Who made the offer to you at	16	Q. Did you ever receive a promotion out of
19 Q. What was June's position at 20 Bristol-Myers Squibb? 21 A. She was my manager. 22 Q. Is that district business manager? 23 A. Yes. 24 Q. Where was she located? 25 A. She lived in Palm Beach County.  26 P. A. She lived in Palm Beach County.  27 P. B. Amendola 28 Q. Did she work out of her home? 3 A. Yes. 4 Q. What was your understanding of the type of work that you would be doing at Bristol-Myers of work that you would be doing at Bristol-Myers of work that you would be doing at Bristol-Myers of work that you would be doing at Bristol-Myers of work that you would be doing at Bristol-Myers of work that you would be doing at Bristol-Myers of work that you would be doing at Bristol-Myers of work that you would be doing at Bristol-Myers of work that you would be doing at Bristol-Myers of with a different portfolio of products. 9 Q. Could you explain to me what it was you were going to be doing at Bristol-Myers Squibb? 11 A. I would be calling on psychiatrists, internal medicine, family practice promoting Cefzil, Serzone and Buspar. 12 Q. In '98, correct? 13 A. Yes. 14 Q. Where is that? 15 Q. At that time? 16 A. Yes. 17 Q. In '98, correct? 18 A. Right, and my territory was located of the working within my territory. 29 Q. Where is that? 20 Q. Where is that? 21 A. I had lived in Palm Beach County. 21 A. I had lived in Palm Beach County. 22 Q. Did you receive more money as a TBM rather than an ATBM? 23 Q. Was this called the Hollywood territory? 24 A. No. 25 Q. Is it your understanding that there's a difference between an associate territory business manager? 26 A. It's a difference between an associate territory business manager. 27 A. I would be doing at Bristol-Myers Squibb? 28 A. There could be. I mean my understanding was that an ATBM? 29 Q. Did you receive more money as a TBM rather an ATBM? 20 Q. Where is that? 21 A. I had lived in Coral Springs at the time than an ATBM? 21 A. In my career with Bristol-Myers Squibb my salary did go up. 22 Q. Did you receive more money as a TBM rather than an ATBM?	17	Bristol-Myers Squibb?	17	the associate TBM position? When I say TBM, I mean
20 Bristol-Myers Squibb? 21 A. She was my manager. 22 Q. Is that district business manager? 23 A. Yes. 24 Q. Where was she located? 25 A. She lived in Palm Beach County.  26 B. Amendola 27 Q. Did she work out of her home? 28 A. Yes. 4 Q. What was your understanding of the type of work that you would be doing at Bristol-Myers 4 Q. What was your understanding of the type of work that you would be doing what I did for Scios 28 with a different portfolio of products. 29 Q. Could you explain to me what it was you were going to be doing at Bristol-Myers Squibb? 20 A. I would be calling on psychiatrists, neurologists, primary care physicians, pediatricians, internal medicine, family practice promoting Cefzil, Serzone and Buspar.  20 At that time? 21 A. She was my manager? 22 A. I believe so. 23 Q. Do you know when that occurred? 24 A. No. 25 Q. Is it your understanding that there's a difference between an associate territory business manager, an ATBM, and a territory business manager, an ATBM, and a territory business manager? 4 TBM? 5 A. It's a difference in pay? 6 difference. 7 Q. Is there a difference in pay? 8 A. There could be. 9 Q. Do you know? 10 A. There could be. I mean my understanding was that an ATBM was a new hire, an entry level rep versus a more seasoned rep. A more seasoned rep theoretically earned more money. 14 Q. Did you earn more money as a TBM rather an ATBM? 15 A. Right, and my territory was located 19 where I lived. 19 Q. Where is that? 20 Q. Where is that? 21 A. I had lived in Coral Springs at the time, so I would be working within my territory. 22 Q. Did you receive more money as a TBM rather than an ATBM?	18	A. June Crockett.	18	territory business manager.
A. She was my manager.  Q. Is that district business manager?  A. Yes.  Q. Where was she located?  A. She lived in Palm Beach County.  87  B. Amendola  Q. Did she work out of her home?  A. Yes.  Q. What was your understanding of the type  of work that you would be doing at Bristol-Myers  Squibb as an associate territory business manager?  A. I would be doing what I did for Scios  with a different portfolio of products.  Q. Could you explain to me what it was you  were going to be doing at Bristol-Myers Squibb?  A. I would be calling on psychiatrists, internal medicine, family practice promoting Cefzil, Serzone and Buspar.  A. Yes.  A. Right, and my territory was located  where I lived.  Q. Where is that?  A. I had lived in Coral Springs at the time, so I would be working within my territory.  Q. Was this called the Hollywood territory?  James A. Yes.  A. I believe so.  A. No.  B. Amendola  difference between an associate territory business manager  than ATBM, and a territory business manager.  A. It's a different title. That's the only  difference.  Q. Is there a difference in pay?  A. There could be.  Q. Do you know?  A. There could be.  A. There could be.  Q. Do you know?  A. There could be.  A. There could be.  Q. Do you know?  A. There could be.  A. There could be.  Q. Do you know?  A. There could be.  A. There could be.  Q. Do you know?  A. There could be.  A. There could be.  Q. Do you know?  A. There could be.	19	Q. What was June's position at	19	A. That's difficult for me to answer
22 Q. Is that district business manager? 23 A. Yes. 24 Q. Where was she located? 25 A. She lived in Palm Beach County.  87  1 B. Amendola 2 Q. Did she work out of her home? 3 A. Yes. 4 Q. What was your understanding of the type 5 of work that you would be doing at Bristol-Myers 6 Squibb as an associate territory business manager? 7 A. I would be doing what I did for Scios 8 with a different portfolio of products. 9 Q. Could you explain to me what it was you 10 were going to be doing at Bristol-Myers Squibb? 11 A. I would be calling on psychiatrists, 12 neurologists, primary care physicians, pediatricians, internal medicine, family practice promoting Cefzil, 14 Serzone and Buspar. 15 Q. At that time? 16 A. Yes. 17 Q. In '98, correct? 18 A. Right, and my territory was located 19 where I lived. 20 Q. Where is that? 21 A. I believe so. 22 A. I believe so. 23 Q. Do you know when that occurred? 24 A. No. 25 Q. Is it your understanding that there's a  87  88  1 B. Amendola 1 B. Amendola 2 difference between an associate territory business manager an ATBM, and a territory business manager an ATBM, and a territory business manager an ATBM? 4 D. It's a different title. That's the only difference. 6 difference. 7 Q. Is there a difference in pay? 8 A. There could be. 9 Q. Do you know? 10 was that an ATBM was a new hire, an entry level rep versus a more seasoned rep. A more seasoned rep versus a more seasoned rep. A more seasoned rep. 14 Q. Did you earn more money as a TBM rather an ATBM? 15 A. Salaries were never discussed between reps. 16 A. Salaries were never discussed between reps. 17 Q. In '98, correct? 18 Q. Did you receive more money as a TBM rather than as an ATBM? 20 A. In my career with Bristol-Myers Squibb my salary did go up. 21 Q. Did you receive more money as a TBM rather than an ATBM?	20	Bristol-Myers Squibb?	20	because titles changed.
23 A. Yes. 24 Q. Where was she located? 25 A. She lived in Palm Beach County.  87  1 B. Amendola 2 Q. Did she work out of her home? 3 A. Yes. 4 Q. What was your understanding of the types 5 of work that you would be doing at Bristol-Myers 6 Squibb as an associate territory business manager? 7 A. I would be doing what I did for Scios 8 with a different portfolio of products. 9 Q. Could you explain to me what it was you 10 were going to be doing at Bristol-Myers Squibb? 11 A. I would be calling on psychiatrists, 12 neurologists, primary care physicians, pediatricians, 13 internal medicine, family practice promoting Cefzil, 14 Serzone and Buspar. 15 Q. At that time? 16 A. Yes. 17 Q. In '98, correct? 18 A. Right, and my territory was located 19 where I lived. 20 Q. Where is that? 21 A. I had lived in Coral Springs at the 22 time, so I would be working within my territory. 23 Q. Was this called the Hollywood territory? 24 A. No. 25 Q. Is it your understanding that there's a  85 B. Amendola 2 difference between an associate territory business manager. 3 h. It's a different prifer business manager. 4 D. Dio you know? 4 D. Do you know? 5 A. It's a different business manager. 6 A. It's a different business manager. 7 Q. Is there a difference in pay? 8 A. There could be. 9 Q. Do you know? 10 A. There could be. 11 A. There could be. 12 Versus a more seasoned rep. A more seasoned rep. 13 therefore between an associate territory business manager. 14 A. There could be. 15 A. There could be. 16 A. There could be. 17 Q. Did you earn more money as a TBM rather. 18 Q. Did you earn more money as a TBM rather. 19 Versus a more seasoned rep. A more seasoned rep. 19 Versus a more seasoned rep. A more seasoned rep. 20 A. Salaries were never discussed between reps. 21 A. In an ATBM? 22 A. In	21	A. She was my manager.	21	Q. Did you get promoted to TBM?
24 Q. Where was she located? 25 A. She lived in Palm Beach County.  87  1 B. Amendola 2 Q. Did she work out of her home? 3 A. Yes. 4 Q. What was your understanding of the type 5 of work that you would be doing at Bristol-Myers 6 Squibb as an associate territory business manager? 7 A. I would be doing what I did for Scios 8 with a different portfolio of products. 9 Q. Could you explain to me what it was you 10 were going to be doing at Bristol-Myers Squibb? 11 A. I would be calling on psychiatrists, 12 neurologists, primary care physicians, pediatricians, 13 internal medicine, family practice promoting Cefzil, 14 Serzone and Buspar. 15 Q. At that time? 16 A. Yes. 17 Q. In '98, correct? 18 A. Right, and my territory was located 19 where I lived. 20 Q. Where is that? 21 A. No. 25 Q. Is it your understanding that there's a  889  1 B. Amendola 2 difference between an associate territory business manager an ATBM, and a territory business manager difference. 4 TBM? 5 A. It's a different title. That's the only difference. 7 Q. Is there a difference in pay? 8 A. There could be. 9 Q. Do you know? 10 was that an ATBM was a new hire, an entry level rep versus a more seasoned rep. A more seasoned rep theoretically earned more money. 14 Q. Did you earn more money as a TBM rather an ATBM? 15 A. Salaries were never discussed between an associate territory business manager an ATBM? 10 A. There could be. 11 A. There could be. 12 Q. Did you earn more money as a TBM rather an ATBM? 12 A. Salaries were never discussed between an associate territory business manager an ATBM? 15 A. In my career with Bristol-Myers Squibb my salary did go up. 16 A. Salaries were more money as a TBM my salary did go up. 17 Q. Did you receive more money as a TBM rather than an ATBM? 18 Q. Did you receive more money as a TBM rather than an ATBM?	22	Q. Is that district business manager?	22	A. I believe so.
25 A. She lived in Palm Beach County.  87  1 B. Amendola 2 Q. Did she work out of her home? 3 A. Yes. 4 Q. What was your understanding of the type 5 of work that you would be doing at Bristol-Myers 6 Squibb as an associate territory business manager? 7 A. I would be doing what I did for Scios 8 with a different portfolio of products. 9 Q. Could you explain to me what it was you 10 were going to be doing at Bristol-Myers Squibb? 11 A. I would be calling on psychiatrists, 12 neurologists, primary care physicians, pediatricians, 13 internal medicine, family practice promoting Cefzil, 14 Serzone and Buspar. 15 Q. At that time? 16 A. Yes. 17 Q. In '98, correct? 18 A. Right, and my territory was located where I lived. 19 Q. Where is that? 20 Q. Where is that? 21 A. I had lived in Coral Springs at the time, so I would be working within my territory. 22 Q. Was this called the Hollywood territory? 23 Q. Was this called the Hollywood territory? 25 Q. Is it your understanding that there's a  889  1 B. Amendola 1 difference between an associate territory business manager 4 TBM? 5 A. It's a differente title. That's the only 6 difference. 7 Q. Is there a difference in pay? 8 A. There could be. 9 Q. Do you know? 10 A. There could be. I mean my understanding 11 was that an ATBM was a new hire, an entry level rep 12 versus a more seasoned rep. A more seasoned rep 13 theoretically earned more money. 14 Q. Did you earn more money as a TBM rather than as an ATBM? 18 Q. Did you rece	23	A. Yes.	23	Q. Do you know when that occurred?
1 B. Amendola 2 Q. Did she work out of her home? 3 A. Yes. 4 Q. What was your understanding of the type 5 of work that you would be doing at Bristol-Myers 6 Squibb as an associate territory business manager? 7 A. I would be doing what I did for Scios 8 with a different portfolio of products. 9 Q. Could you explain to me what it was you 10 were going to be doing at Bristol-Myers Squibb? 11 A. I would be calling on psychiatrists, 12 neurologists, primary care physicians, pediatricians, 13 internal medicine, family practice promoting Cefzil, 14 Serzone and Buspar. 15 Q. At that time? 16 A. Yes. 17 Q. In '98, correct? 18 A. Right, and my territory was located 19 where I lived. 20 Q. Where is that? 21 A. I had lived in Coral Springs at the 22 time, so I would be working within my territory. 23 Q. Was this called the Hollywood territory? 24 B. Amendola 2 difference between an associate territory business manager 4 TBM? 5 A. It's a different title. That's the only difference. 7 Q. Is there a difference in pay? 4 A. There could be. 9 Q. Do you know? 10 A. There could be. I mean my understanding was that an ATBM was a new hire, an entry level rep versus a more seasoned rep. A more seasoned rep theoretically earned more money. 14 Q. Did you earn more money as a TBM rather an ATBM? 15 A. Salaries were never discussed between reps. 16 A. Salaries were never discussed between reps. 17 Q. Did you receive more money as a TBM my career with Bristol-Myers Squibb my salary did go up. 20 Q. Did you receive more money as a TBM rather than an ATBM?	24	Q. Where was she located?	24	A. No.
1 B. Amendola 2 Q. Did she work out of her home? 3 A. Yes. 4 Q. What was your understanding of the type 5 of work that you would be doing at Bristol-Myers 6 Squibb as an associate territory business manager? 7 A. I would be doing what I did for Scios 8 with a different portfolio of products. 9 Q. Could you explain to me what it was you 10 were going to be doing at Bristol-Myers Squibb? 11 A. I would be calling on psychiatrists, 12 neurologists, primary care physicians, pediatricians, 13 internal medicine, family practice promoting Cefzil, 14 Serzone and Buspar. 15 Q. At that time? 16 A. Yes. 17 Q. In '98, correct? 18 A. Right, and my territory was located 19 where I lived. 20 Q. What his called the Hollywood territory? 21 A. I had lived in Coral Springs at the 22 time, so I would be working within my territory. 23 Q. Was this called the Hollywood territory? 21 A. I had lived in Coral Springs at the 22 time, so I would be working within my territory. 23 Q. Did you receive more money as a TBM 24 difference between an associate territory business manager 25 difference between an associate territory business manager 26 difference. 27 A. It's a different title. That's the only 4 TBM? 28 A. It's a difference in pay? 4 A. It's a difference in pay? 4 A. It's a difference in pay? 8 A. There could be. 9 Q. Do you know? 10 A. There could be. 11 Was that an ATBM was a new hire, an entry level rep 12 versus a more seasoned rep. A more seasoned rep 13 theoretically earned more money as a TBM rather 14 Q. Did you receive more money as a TBM rather 15 an ATBM? 16 A. Salaries were never discussed between 17 reps. 18 Q. Did you receive more money as a TBM 19 rather than as an ATBM? 20 Q. Did you receive more money as a TBM 21 my salary did go up. 22 Q. Did you receive more money as a TBM 23 rather than an ATBM?	25	A. She lived in Palm Beach County.	25	Q. Is it your understanding that there's a
2 Q. Did she work out of her home? 3 A. Yes. 4 Q. What was your understanding of the type 5 of work that you would be doing at Bristol-Myers 6 Squibb as an associate territory business manager? 7 A. I would be doing what I did for Scios 8 with a different portfolio of products. 9 Q. Could you explain to me what it was you 10 were going to be doing at Bristol-Myers Squibb? 11 A. I would be calling on psychiatrists, 12 neurologists, primary care physicians, pediatricians, 13 internal medicine, family practice promoting Cefzil, 14 Serzone and Buspar. 15 Q. At that time? 16 A. Yes. 17 Q. In '98, correct? 18 A. Right, and my territory was located 19 where I lived. 20 Q. Was this called the Hollywood territory? 21 difference between an associate territory business manager and ATBM, and a territory business manager and BM?  A. I would be doing with I did for Scios  A. I would be doing with I did for Scios  A. There could be.  P. Q. In the an ATBM, and a territory business manager and BM?  A. There could be		87		89
A. Yes.  Q. What was your understanding of the type of work that you would be doing at Bristol-Myers Squibb as an associate territory business manager? A. I would be doing what I did for Scios with a different portfolio of products. Q. Could you explain to me what it was you were going to be doing at Bristol-Myers Squibb? A. I would be calling on psychiatrists, neurologists, primary care physicians, pediatricians, internal medicine, family practice promoting Cefzil, Serzone and Buspar.  Q. At that time? A. Yes. Q. In '98, correct? A. Right, and my territory was located where I lived. Q. Where is that? Q. Was this called the Hollywood territory?  Mananager, an ATBM, and a territory business manager TBM?  A. It's a different title. That's the only difference.  Q. Is there a difference in pay?  A. There could be. Q. Do you know?  A. There could be. I mean my understanding was that an ATBM was a new hire, an entry level rep versus a more seasoned rep. A more seasoned rep theoretically earned more money.  A. Salaries were never discussed between  A. Salaries were never discussed between  Treps.  A. In my career with Bristol-Myers Squibb my salary did go up.  Q. Did you receive more money as a TBM rather than an ATBM?  Q. Did you receive more money as a TBM rather than an ATBM?	1	B. Amendola	1	B. Amendola
A. Yes.  Q. What was your understanding of the type for work that you would be doing at Bristol-Myers Squibb as an associate territory business manager? A. I would be doing what I did for Scios with a different portfolio of products. Q. Could you explain to me what it was you were going to be doing at Bristol-Myers Squibb? A. I would be calling on psychiatrists, neurologists, primary care physicians, pediatricians, internal medicine, family practice promoting Cefzil, Serzone and Buspar.  Q. At that time? A. Yes. Q. In '98, correct? A. Right, and my territory was located where I lived. Q. Where is that? Q. Was this called the Hollywood territory?  Manager, an ATBM, and a territory business manager TBM?  A. It's a different title. That's the only difference.  Q. Is there a difference in pay?  A. There could be. Q. Do you know?  A. There could be. I mean my understanding was that an ATBM was a new hire, an entry level rep versus a more seasoned rep. A more seasoned rep theoretically earned more money.  A. Salaries were never discussed between  A. Salaries were never discussed between  Popid you receive more money as a TBM Table?  A. In my career with Bristol-Myers Squibb my salary did go up.  Q. Did you receive more money as a TBM Table?  A. In my career with Bristol-Myers Squibb my salary did go up.  Q. Did you receive more money as a TBM Table?  Q. Did you receive more money as a TBM Table?  Q. Did you receive more money as a TBM Table?  Q. Did you receive more money as a TBM Table?  Q. Did you receive more money as a TBM Table?  Q. Did you receive more money as a TBM Table?  Q. Did you receive more money as a TBM	2	Q. Did she work out of her home?	2	difference between an associate territory business
4 Q. What was your understanding of the type 5 of work that you would be doing at Bristol-Myers 6 Squibb as an associate territory business manager? 7 A. I would be doing what I did for Scios 8 with a different portfolio of products. 9 Q. Could you explain to me what it was you 10 were going to be doing at Bristol-Myers Squibb? 11 A. I would be calling on psychiatrists, 12 neurologists, primary care physicians, pediatricians, 13 internal medicine, family practice promoting Cefzil, 14 Serzone and Buspar. 15 Q. At that time? 16 A. Yes. 17 Q. In '98, correct? 18 A. Right, and my territory was located 19 where I lived. 20 Q. Where is that? 21 A. I had lived in Coral Springs at the 22 time, so I would be working within my territory? 23 Q. Was this called the Hollywood territory? 24 TBM? 5 A. It's a different title. That's the only difference. 7 Q. Is there a difference in pay? 8 A. There could be. 9 Q. Do you know? 10 A. There could be. I mean my understanding 11 was that an ATBM was a new hire, an entry level rep 12 versus a more seasoned rep. A more seasoned rep 13 theoretically earned more money. 14 Q. Did you earn more money as a TBM rather 15 an ATBM? 16 A. Salaries were never discussed between 17 reps. 18 Q. Did you receive more money as a TBM 19 rather than as an ATBM? 20 A. In my career with Bristol-Myers Squibb 21 my salary did go up. 22 Q. Did you receive more money as a TBM 23 rather than an ATBM?	3	•	3	
5 of work that you would be doing at Bristol-Myers 6 Squibb as an associate territory business manager? 7 A. I would be doing what I did for Scios 8 with a different portfolio of products. 9 Q. Could you explain to me what it was you 10 were going to be doing at Bristol-Myers Squibb? 11 A. I would be calling on psychiatrists, 12 neurologists, primary care physicians, pediatricians, 13 internal medicine, family practice promoting Cefzil, 14 Serzone and Buspar. 15 Q. At that time? 16 A. Yes. 17 Q. In '98, correct? 18 A. Right, and my territory was located 19 where I lived. 20 Q. Where is that? 21 A. I had lived in Coral Springs at the 22 time, so I would be working within my territory. 23 Q. Was this called the Hollywood territory? 24 A. I would be doing at Bristol-Myers Squibb difference. 7 Q. Is there a difference in pay? 8 A. There could be. 9 Q. Do you know? 10 A. There could be. I mean my understanding was that an ATBM was a new hire, an entry level rep versus a more seasoned rep. A more seasoned rep theoretically earned more money. 14 Q. Did you earn more money as a TBM rather 15 an ATBM? 16 A. Salaries were never discussed between reps. 17 reps. 18 Q. Did you receive more money as a TBM rather than as an ATBM? 20 A. In my career with Bristol-Myers Squibb my salary did go up. 21 Q. Did you receive more money as a TBM rather than an ATBM?	4	Q. What was your understanding of the type	4	- · · · · · · · · · · · · · · · · · · ·
6 Squibb as an associate territory business manager? 7 A. I would be doing what I did for Scios 8 with a different portfolio of products. 9 Q. Could you explain to me what it was you 10 were going to be doing at Bristol-Myers Squibb? 11 A. I would be calling on psychiatrists, 12 neurologists, primary care physicians, pediatricians, 13 internal medicine, family practice promoting Cefzil, 14 Serzone and Buspar. 15 Q. At that time? 16 A. Yes. 17 Q. In '98, correct? 18 A. Right, and my territory was located 19 where I lived. 20 Q. Where is that? 21 A. I had lived in Coral Springs at the 22 time, so I would be working within my territory? 23 Q. Was this called the Hollywood territory? 24 With a difference in pay? 28 A. There could be. 29 Q. Do you know? 10 A. There could be. I mean my understanding 11 was that an ATBM was a new hire, an entry level rep 12 versus a more seasoned rep. A more seasoned rep 13 theoretically earned more money. 14 Q. Did you earn more money as a TBM rather 15 an ATBM? 16 A. Salaries were never discussed between 17 reps. 18 Q. Did you receive more money as a TBM 19 where I lived. 20 Q. Where is that? 21 A. I had lived in Coral Springs at the 22 time, so I would be working within my territory. 23 Q. Was this called the Hollywood territory? 24 d. In my career with Bristol-Myers Squibb 25 my salary did go up. 26 Q. Did you receive more money as a TBM 27 rather than an ATBM? 28 Q. Did you receive more money as a TBM 29 rather than an ATBM?	5		5	
A. I would be doing what I did for Scios  with a different portfolio of products.  Q. Could you explain to me what it was you  were going to be doing at Bristol-Myers Squibb?  A. I would be calling on psychiatrists,  neurologists, primary care physicians, pediatricians,  internal medicine, family practice promoting Cefzil,  Serzone and Buspar.  Q. At that time?  A. Yes.  Q. In '98, correct?  A. Right, and my territory was located  was that an ATBM?  A. I would be calling on psychiatrists,  pediatricians,  contact theoretically earned more money.  A. Salaries were never discussed between  A. Salaries were never discussed between  pediatricians,  contact theoretically earned more money.  A. Salaries were never discussed between  A. Salaries were never discussed between  pediatricians,  contact theoretically earned more money.  A. Salaries were never discussed between  pediatricians,  contact theoretically earned more money.  A. Salaries were never discussed between  pediatricians,  contact theoretically earned more money.  A. Salaries were never discussed between  contact theoretically earned more money as a TBM rather  an ATBM?  A. Salaries were never discussed between  contact theoretically earned more money as a TBM rather  an ATBM?  A. I would be worked in the service promoting Cefzil,  contact theoretically earned more money.  A. I had lived in '98, correct',  contact theoretically earned more money as a TBM rather  an ATBM?  A. I had lived in Coral Springs at the  contact the could be.  A. There could be.  A. Did you receive more money as a TBM  man ATBM?  A. In my career wit	1	<del>_</del>	6	•
8 with a different portfolio of products. 9 Q. Could you explain to me what it was you 10 were going to be doing at Bristol-Myers Squibb? 11 A. I would be calling on psychiatrists, 12 neurologists, primary care physicians, pediatricians, 13 internal medicine, family practice promoting Cefzil, 14 Serzone and Buspar. 15 Q. At that time? 16 A. Yes. 17 Q. In '98, correct? 18 A. Right, and my territory was located 19 where I lived. 10 A. There could be. 10 A. There could be. I mean my understanding 11 was that an ATBM was a new hire, an entry level rep 12 versus a more seasoned rep. A more seasoned rep 13 theoretically earned more money. 14 Q. Did you earn more money as a TBM rather 15 an ATBM? 16 A. Salaries were never discussed between 17 reps. 18 Q. Did you receive more money as a TBM 19 where I lived. 19 rather than as an ATBM? 20 Q. Where is that? 21 A. I had lived in Coral Springs at the 22 time, so I would be working within my territory. 23 Q. Was this called the Hollywood territory? 24 Tather than an ATBM?	7		7	Q. Is there a difference in pay?
9 Q. Could you explain to me what it was you 10 were going to be doing at Bristol-Myers Squibb? 11 A. I would be calling on psychiatrists, 12 neurologists, primary care physicians, pediatricians, 13 internal medicine, family practice promoting Cefzil, 14 Serzone and Buspar. 15 Q. At that time? 16 A. Yes. 17 Q. In '98, correct? 18 A. Right, and my territory was located 19 where I lived. 20 Q. Where is that? 21 A. I had lived in Coral Springs at the 22 time, so I would be calling on psychiatrists, 10 A. There could be. I mean my understanding 11 was that an ATBM was a new hire, an entry level rep 12 versus a more seasoned rep. A more seasoned rep 13 theoretically earned more money. 14 Q. Did you earn more money as a TBM rather 15 an ATBM? 16 A. Salaries were never discussed between 17 reps. 18 Q. Did you receive more money as a TBM 19 rather than as an ATBM? 20 A. In my career with Bristol-Myers Squibb 21 my salary did go up. 22 Unid you receive more money as a TBM 23 Q. Was this called the Hollywood territory? 24 Q. Did you receive more money as a TBM 25 P. Did you receive more money as a TBM 26 P. Did you receive more money as a TBM 27 P. Did you receive more money as a TBM 28 P. Did you receive more money as a TBM 29 P. Did you receive more money as a TBM 20 P. Did you receive more money as a TBM 20 P. Did you receive more money as a TBM 21 P. Did you receive more money as a TBM 22 P. Did you receive more money as a TBM 23 P. Did you receive more money as a TBM	8	<u> </u>	1	
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A. I had lived in Coral Springs at the 21 my salary did go up. 22 time, so I would be working within my territory. 23 Q. Was this called the Hollywood territory? 21 my salary did go up. 22 Q. Did you receive more money as a TBM 23 rather than an ATBM?	1		20	
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Q. Was this called the Hollywood territory? 23 rather than an ATBM?	22		22	· · · · · · · · · · · · · · · · · · ·
	I		23	
	24	•	24	MR. MAAZEL: Form objection.
25 territory. 25 A. All I could tell you is I started with a	25		25	"

23 (Pages 86 to 89)

	90		92
1	B. Amendola	1	B. Amendola
2	base of 44 and I left with a base of 62.	2	Q. This guidebook, the Excel Sales Career
3	Q. You don't recall being promoted to TBM?	3	Progression Program, applied to you, correct?
4	A. No, but I remember that my business card	4	A. Yes.
5	said TBM. It didn't say associate territory business	5	Q. Could you tell me generally what it is
6	manager.	6	you recall about what this program was, the Excel
7	Q. Were you familiar generally with what	7	Sales Career Progression Program?
8	the criteria for promotion was at BMS?	8	A. This was given to us as an improvement
9	A. It changed over the years.	9	over the failure of the Advance Care Progression
10	Q. So generally you were familiar with it?	10	Program. This was supposed to simplify and delineate
11	A. I became familiar with the Advance	11	our responsibilities, and if we followed this, we
12	system.	12	could be promoted to another level, and if we
13	Q. Are you familiar with the Excel system?	13	followed this when we went on a call, then we would
14	A. Excel, yes.	14	be doing things properly. If a manager was with us,
15	Q. One of the criteria in the Excel system	15	he would rate us on how well we adhered to this
16	for being promoted was having a history of good sale	s16	booklet.
17	performance; is that true?	17	Q. So is it fair to say that the Excel
18	MR. MAAZEL: Form objection.	18	Sales Career Progression Program set out objectives
19	MR. BROWN: What's the form objection?	19	for what a primary care pharmaceutical rep would need
20	MR. MAAZEL: Are you asking a question	20	to do to get promoted?
21	or are you	21	A. Would need to do to succeed at
22	MR. BROWN: I'm asking a question.	22	Bristol-Myers.
23	MR. MAAZEL: making a statement?	23	Q. In succeeding, that would also include,
24	Q. The question is: Is it true that one of	24	I guess, career progression, right?
25	the criterion for being promoted at Bristol-Myers	25	A. Well, not everybody wanted career
	91		93
1	B. Amendola	1	B. Amendola
2	Squibb was having a history of good sales	2	progression. Some people were very content being
3	performance?	3	primary care representatives.
4	A. I don't know. I don't have it in front	4	Q. If you would turn to BMS it's in the
5	of me.	5	lower right corner 2033. It says at the top of
6	Q. I will put it in front of you.	6	that page Overview of Excel. Do you see that?
7	MR. BROWN: Let me mark as Exhibit 7 the	7	A. Yes.
8	Excel Sales Career Progression Program Primary Care	8	Q. Under 2.1, Requirements For Sales Career
9	Representative Guidebook.	9	Progression it states the following and I quote, the
10	(Whereupon, Excel Sales Career	10	three components that are the foundation of sales
11	Progression Program Primary Care Representative	11	career progression at Bristol-Myers Squibb are:
12	Guidebook was received and marked Amendola Exhibit 7	,12	sales results, core BMS behaviors, and sales
13	for identification, as of this date.)	13	competencies. Do you see that?
14	MR. MAAZEL: Just take a minute to look	14	A. Yes.
15	through that document.	15	Q. Was it your understanding that these
16	A. Okay.	16	were the three core components for a sales career
17	Q. Are you familiar with this document	17	progression at Bristol-Myers Squibb?
18	generally?	18	MR. MAAZEL: Form objection. You can
19	A. I am familiar with it, but I don't	19	answer.
20	remember if I had a hard copy or if it was just	20	A. These are the
21	online.	21	Q. What it your understanding
22	Q. As a preliminary matter, you worked for	22	MR. MAAZEL: Let her answer. Please
23	Bristol-Myers Squibb as a primary care pharmaceutical	23	don't interrupt.
24	representative; is that accurate?	24	Q. You're not answering.
25	A. Yes.	25	A. I am answering it.

	94		96
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1	B. Amendola	1	B. Amendola
2	MR. MAAZEL: All she's said is "these	2	Q. If you turn the page to BMS 2034 it
3	are" and you interrupted her. Please do not	3	provides a little more explanation about what
4	interrupt.	4	Bristol-Myers meant by "sales results."
5	MR. BROWN: Let me ask the question.	5	Do you see that?
6	MR. MAAZEL: She was in the middle of an	6	A. Yes.
7	answer. You can't interrupt her.	7	Q. It says and I quote, Sales Results:
8	MR. BROWN: I can because she's not	8	Before sales representatives and managers can move
9	answering the question.	9	forward in their careers, they will be expected to
10	A. Yes, I was.	10	demonstrate a positive track record of sales results
11	MR. MAAZEL: Can you read back the	11	in their current band. Do you see that?
12	record. I'm sorry, that's not appropriate. Just	12	A. Yes.
13	read back the record. Let's see where the	13	Q. Was this in conformance to your
14	interruption was. That's not the way to handle it.	14	understanding of what it took to get promoted?
15	(The requested portion was read.)	15	MR. MAAZEL: Form objection, but you can
16	A. These are the components that	16	answer.
17	Bristol-Myers outlined for having success at	17	A. A positive track record certainly.
18	Bristol-Myers Squibb.	18	Q. That track record was what, a track
19	Q. Those three components included sales	19	record of what?
20	results, core BMS behaviors and sales competencies,	20	A. Of increasing the prescriptions of
21	correct?	21	contributing to the increase of prescriptions in the
22	MR. MAAZEL: Form objection.	22	defined territory.
23	Q. Correct?	23	Q. Another factor was core BMS behaviors,
24	MR. MAAZEL: Form objection. You can	24	correct?
25	answer.	25	A. Yes.
***************************************	95		97
1	B. Amendola	1	B. Amendola
2	A. I think that we have to get one thing	2	Q. The third factor, if you turn to BMS
3	straight. In pharmaceuticals, sales, and marketing,	3	2036, talks about sales competencies.
4	and promotion means the same thing. I was not a	4	Do you see that?
5	sales rep. I sold nothing, but if I did these three	5	A. Yes.
6	competencies, then I would be successful at	6	Q. It says, and I quote, Sales
7	Bristol-Myers Squibb.	7	Competencies: Sales competencies represent critical
8	Q. Those three competencies included sales	8	knowledge, skills and abilities required to
9	results, core BMS behaviors, and sales competencies,	9	successfully perform the job, and it then references
10	correct?	10	on the next page a number of selling skills and
11	MR. MAAZEL: Form objection.	11	competencies. Do you see that?
12	Q. You can call why don't you answer my	12	A. Yes.
13	question.	13	Q. Was it your understanding that this was
14	A. I'll say yes. I'll say yes so we can	14	one of the criterion that a sales representative or a
15	move on.	15	pharmaceutical representative in primary care had to
16	MR. MAAZEL: Don't say	16	meet in order to get promoted?
17	Q. I want you to answer truthfully.	17	MR. MAAZEL: Form objection.
18	A. I'll say yes, but I would rephrase it as	18	A. These one, two, three, four, five, six
19	results, core BMS behaviors, and competencies.	19	competencies here are derived from the intense
20	Q. What results are you talking about?	20	training that's given whenever a new quarter was
21	A. Results, increasing market shares,	21	established, therefore, competency in them means that
22	decreasing market share of the competition.	22	you took away with you from whatever POA meeting you
23	Q. Anything else that you understand	23	attended everything that was imparted to you, and you
24	"results" to mean?	24	went in the field and you repeated it on every call.
1	"results" to mean?  A. That was results.	24 25	went in the field and you repeated it on every call.  Q. You repeated it verbatim?